

January 5, 2023

The Reorganization meeting of the Town Council of the Town of Newton was held on the above date at Noon. Present were Mr. Couce, Mr. Dickson, Mrs. Diglio, Mrs. Le Frois, Mrs. Teets, Municipal Clerk Teresa A. Oswin, and Town Manager Mr. Thomas S. Russo, Jr.

Pastor Aaron Verhoef, of Newton Covenant Reformed Church, led the Invocation. Mrs. Oswin led the Pledge of Allegiance to the flag.

**ROLL CALL**

Mrs. Oswin took roll call for attendance:

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

Mrs. Oswin 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 January 3, 2022."

**OATH OF OFFICE FOR NEWLY ELECTED OFFICIALS**

At this time, the Hon. James P. Sloan, JMC proceeded with the swearing-in ceremony of Matthew S. Dickson, as Councilman as his daughter held the Bible.

The Hon. James P. Sloan, JMC swore in Sandra Lee Diglio, as Councilwoman, while her friend, held the Bible.

The Hon. James P. Sloan, JMC swore in Helen R. Le Frois, as Councilwoman, while her family held the Bible.

**DESIGNATION OF TEMPORARY MAYOR**

Mrs. Oswin requested a nomination for Temporary Mayor. Mrs. Le Frois made a motion to nominate Mrs. Teets as Temporary Mayor, it was seconded by Mrs. Diglio. There being no further names to be submitted, nominations were declared closed and roll call resulted as follows:

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

**NOMINATION AND SELECTION OF MAYOR**

Mrs. Teets, designated as Temporary Mayor, entertained a motion for nomination of Mayor for the year 2023. Mrs. Le Frois then nominated Michelle J. Teets and the

January 5, 2023

nomination was seconded by Mrs. Diglio. There being no further names to be submitted, nominations were declared closed and roll call resulted as follows:

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

At this time, the Hon. James P. Sloan, JMC proceeded to swear-in Michelle J. Teets, as Mayor, while her nephew and husband held the Bible.

### **NOMINATION AND SELECTION OF DEPUTY MAYOR**

Mayor Teets entertained a motion for nomination of Deputy Mayor for the year 2023. Mr. Dickson then nominated John-Paul Couce and the nomination was seconded by Mrs. Diglio. There being no further names to be submitted, nominations were declared closed and roll call resulted as follows:

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

Hon. James P. Sloan, JMC, proceeded to swear-in Deputy Mayor John-Paul Couce, while his girlfriend held the Bible.

### **COMMENTS BY TOWN MANAGER, COUNCIL, DEPUTY MAYOR, AND MAYOR**

Mr. Russo read from a prepared statement:

*"Thank you, Mayor Teets.*

*Before I begin, I just want to say how much I appreciate the non-partisan nature of our form of government. I believe Washington, DC could learn a thing or two from how we operate and how our elected officials govern. Just my two cents.*

*On behalf of all Newton employees, professionals, and volunteers, I want to wish Mayor Teets and Deputy Mayor Couce the very best of success in their leadership roles, and I look forward to working with them, and all Council members, in continuing the great progress we have made towards making Newton a better place to live, work, and visit. I also thank Jason Schlaffer for his steadfast leadership as mayor in 2022.*

*As the County Seat and economic engine of Sussex County, the work we perform in Newton on a daily basis is critical to the long-term success and vitality of the entire region. This is a responsibility we take very seriously, and we look forward to carrying out the ambitious goals, policies, and objectives of the Governing Body for 2023 and beyond.*

*I wish all of you and your families the best of health, happiness, and success, and to the people of the Town of Newton, I pray for your prosperity, and a safe, enjoyable, and most of all, healthy New Year.*

*As I am in my fifteenth year of service as your Town Manager, I thank you for the privilege and honor of serving as the CEO of this wonderful organization. May God continue to bless the Town of Newton. Thank you."*

January 5, 2023

Mr. Dickson read the following prepared statement:

*"Good afternoon, everyone, I will keep my remarks brief. It is an honor today to be sworn in to serve the Town of Newton for another four years. Thank you to the Newton voters for your support and allowing me the privilege to continue this work. I believe we have made great progress over my first term on the Council, and I look forward to continuing that progress.*

*The residents, businesses and visitors to Newton are blessed to have an amazing team of municipal employees, volunteers, and professionals. It is a pleasure to be able to serve on the Council and work with these individuals. Thank you to all of you for your dedication and commitment to the Town and I look forward to having the opportunity to continue to be part of the team.*

*Most importantly, I want to thank my wife Grace, my daughter Olivia, and my two boys Logan and Evan. I understand that it is not always easy as the family member of someone elected to office. Despite this you all have always been positive and understanding. Without your support and sacrifice, I would not be able to continue in my passion to serve the community and the work we do.*

*Congratulations to Mayor Teets and Deputy Mayor Couce, I look forward to working under your leadership this year. Also, it's pretty cool that we have a female majority on the Council now, which hasn't happened in over a decade. I look forward to the remarkable things we can accomplish.*

*Thank you to everyone who came out today."*

Mrs. Diglio started by congratulating Michelle and John-Paul on their new positions as Mayor and Deputy Mayor and wished them the best of luck. She looks forward to working with them on this Council. On Tuesday, January 3<sup>rd</sup> she attended the reorganization meeting of the Newton Board of Education. Stella Dunn was elected President; Ray Morris was elected Vice-President. There was a discussion on facilities in which the Superintendent asked the Business Administrator to investigate some possible solutions. Yesterday she attended the Prime-Time Seniors meeting and Alan Abramson was elected President. Lastly, she wanted to thank all the voters for electing her for her fourth term on the Council. She considers it an honor to serve, and she will do her best to help.

Mrs. Le Frois read the following statement:

*"Good afternoon and Happy New Year. May we all enjoy a year filled with good health and happy memories.*

*I want to express my sincere thanks and appreciation to all who are here today – Newton Town employees, members of our law enforcement, fire department, and first aid squad, members of the public, Town volunteers, other elected officials, our Town professionals, and of course my family and friends. Thank you to Greg, Jordan, Madelyn, Kathryn, Mommy and Mike for your continued support. I also want to take this opportunity to again thank the voters of Newton for electing me to serve you on the Newton Town Council. As we begin this new calendar year, so many of us are hopeful for the new year which brings new beginnings, the opportunity to re-set or set new goals, and the determination to continue the things that brought us success last year. My hope is that,*

January 5, 2023

*in some way, these are the same goals that we have as a Council over the next four years. I am hopeful that our residents and businesses continue to have pride and joy in our great town – and that collectively, we enjoy living, working, and playing here.*

*I continue to be excited for Newton's future! Just two short months ago, the Sussex County Economic Development Partnership recognized the Town of Newton and 7 other Newton based businesses or professionals in 8 out of 11 award categories including Redevelopment, New Business, Business Expansion, Business Advocacy, Municipal, Economic Innovation, and Longevity Awards. Those awards represent a culmination of many years of hard work by Town officials and our Boards and Commissions, and tremendous investment by our business community. That recognition represents hundreds if not thousands of new jobs in the Town and the County, as well as increased ratables and smart growth.*

*I'm confident that more recognition of our collective efforts is in our future! Over the next four years, I will be committed to working with my colleagues on the Council, our Town Manager and his team, and our professionals and volunteers to see our last few redevelopment projects come to fruition. We will continue to be innovative, visionary, and proactive in the promotion of our great town outside of our borders. And we will make decisions from the perspective of what's best for our residents and taxpayers. This is my commitment to you.*

*To former Mayor Jason Schlaffer, thank you for your leadership, hard work, and dedication to the vitality of Newton during your tenure. I look forward to your continued involvement in our great town. To Michelle and JP, congratulations on being appointed as our next Mayor and Deputy Mayor. I wish you much luck and success this year. To everyone, my proverbial door is always open, and my phone is always on, so please use it and let me know how I may be of service to you. Mark Twain once said, "Twenty years from now you will be more disappointed by the things that you didn't do than by the ones you did do." So, four years from now, let's not be disappointed by what we didn't get accomplished and let's look forward to being proud of the things we will get done.*

*To my neighbors in town, I am proud to call the Town of Newton home and I'm looking forward to getting back to work for you! Thank you."*

Mr. Couce stated the past two years have gone by fast, and he is sure the next two will go even faster. He began his role as a Councilmember knowing quite a lot about the Town and he is sure now that he is moving up in the leadership position, there is quite a lot more to learn. The one thing he wanted to focus on is that a lot of people in the community look at the Town Council and see them as the focal point or image of the Town. If you have a problem, they come to a meeting to bring it to our attention, and it gets filtered out from here. What is lost so often is we are temporary place holders, here for a short time, a term or more if re-elected. The continuity of the Town, the reason we are all here is not for the five or seven of us sitting up here on the dais. It's all of you(employees), the people we are looking at right now. We might meet once or twice a month to talk about a few things for an hour or so. But you are the once that are here day in and day out, Monday through Friday and sometimes on the weekends. We are not the ones that make sure your streets are safe. We are not the ones that are actually out there at 3am plowing the roads making sure you can go out to work in the morning. We are not the ones that go out when there is a raccoon in your basement and deal with it. The community looks at us as a focal point, but I want you all to know, at least from my perspective we are here to make sure your job and be completed and if there

January 5, 2023

is a reason it can't be then we need to know about it, so we can fix it so you have everything you need at your disposal so our Town continues to what it is. You are really the ones that operate this Town and make it work. I congratulate everyone else on the Council, Helen, Matt, and Sandy on their re-election. To Michelle, I look forward to working with you, I think it will be a dynamic year. Thank you to Jason Schlaffer who served the Town very well for the past four years. It is great to see you are here today, it shows you are still committed to the Town.

Mayor Teets welcomed everyone to our annual reorganization meeting. She thanked her fellow Council members for entrusting her with the honor and responsibility to serve as Newton's Mayor. She also thanked the Town Manager, Tom Russo, and all of the Municipal staff and professionals attending today. She went on to say how wonderful our Town employees are and how much they contribute to the day-to-day operations to help us be a successful Governing Body. She thanked the Police Chief Steve VanNieuwland, Town engineers, legal advisors, and Town auditor for attending. She especially wanted to thank the DPW, for all they do morning, noon and night to keep the Town functioning, safe, clean, and looking so welcoming. The guys are always willing to help and always have a smile on their face and she really truly appreciates all of them. To her family, especially my husband Ken Teets and nephew Robert McCullough, thank you for always supporting me and putting up with my crazy schedule and long to do lists. Play as a team, win as a team is my motto!

This past year was an exciting year for the Town of Newton. We had a lot of new businesses that opened, we won numerous awards from the Sussex County Economic Development Council, we had a great pool season, awesome movies and music in the park, parades and festivals, and we look forward to all of this success and more in 2023. It is certainly an exciting time to be the Mayor of Newton and I look forward to the journey. As most of you know, what we do does not happen overnight. I was fortunate to attend numerous Ribbon Cutting Ceremonies this past year but a lot of those were the result of work done by others for many years prior to me being elected to Council. I would be remiss if I did not thank all the existing Council members and those that served before me, but one in particular, I would like to recognize today and that is Jason Schlaffer. Jason, please come forward. She also invited Councilman Dickson to stand with her and read the plaque.

## **JASON J. SCHLAFFER**



IN GRATEFUL APPRECIATION OF YOUR YEARS

January 5, 2023

OF DEDICATED AND DEVOTED SERVICE TO THE  
TOWN COUNCIL AND THE RESIDENTS OF THE  
TOWN OF NEWTON

IN FURTHER APPRECIATION OF YOUR LEADERSHIP AND  
COMMITMENT TO EXCELLENCE  
IN PUBLIC SERVICE



**NEWTON TOWN COUNCIL  
2018 - 2022**

Mr. Schlaffer thanked everyone and stated he is not going anywhere and if they need him, they have his number,

Mayor Teets stated, thanked everyone again for being here, she looks forward to working with everyone and please always feel free to reach out to me. Thank you and God Bless you all!

**CONSENT AGENDA**

Mayor Teets read the following statement:

*“All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.”*

**RESOLUTION #1-2023\***

**DESIGNATE BANKS AS DEPOSITORIES FOR CALENDAR YEAR 2023**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that the following policy is hereby adopted pertaining to Town funds for calendar year 2023:

1) The cash management and investment objectives for the Town of Newton include preservation of capital, adequate safekeeping of assets, maintenance of liquidity to meet operating needs, diversification of the Town's portfolio to minimize risks associated with individual investments, and investment of assets in accordance with State and Federal laws and regulations.

2) The following banks are hereby authorized to be used as depositories for Town funds:

- PNC Bank
- JP Morgan Chase Bank
- New Jersey Cash Management Fund
- Provident Bank
- Lakeland Bank
- First Hope Bank
- Santander Bank, N.A.
- TD Bank
- Valley National Bank
- Wells Fargo Bank, N.A.

Beginning with the filing of September 30, 2010 a list of banks that participate in the Governmental Unit Deposit Protection Act (GUDPA) and the type of certificate of

eligibility is available quarterly from the State of New Jersey, Department of Banking and Insurance website:

[https://www.state.nj.us/dobi/division\\_banking/depositories/gudpa.htm](https://www.state.nj.us/dobi/division_banking/depositories/gudpa.htm)

The Chief Financial Officer/Finance Director will review this site and provide the Town Auditor with a copy of this list.

The above designated official depositories are required to submit to the Chief Financial Officer/Finance Director a copy of the institution's "Annual Report" each year. This may also be satisfied electronically.

3) All funds shall be deposited within 48 hours of receipt, in accordance with N.J.S.A. 40A:5-15.

The Chief Financial Officer/Finance Director shall minimize the possibility of idle cash accumulating in accounts by assuring the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer/Finance Director.

4) Permissible investments for the Town of Newton shall include:

(a) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;

(b) government money market mutual funds;

(c) any Federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase and has a fixed rate of interest not dependent on any index or external factors;

(d) Bonds or other obligations of the local unit or school districts of which the local unit is a part;

(e) any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments;

(f) local government investment pools;

(g) New Jersey State Cash Management Fund; and

(h) repurchase agreements of fully collateralized securities.

5) The Municipality is authorized to deposit funds, including certificates of deposits, in accounts subject to the following conditions pursuant to N.J.S.A.40A:5-14, amended by P.L.2018,c.40:

(a) the funds are initially invested through a public depository as defined in section 1 of P.L.1970,c.236(C.17:9-41) designated by the local unit;

(b) the designated public depository arranges for the deposit of funds in certificates of deposit in one or more federally insured banks or savings and loan associations, for the account of the local unit;

(c) 100 percent of the principal and accrued interest of each certificate of deposit is insured by the Federal Deposit Insurance Corporation;

January 5, 2023

(d) the designated public depository acts as custodian for the local unit with respect to the certificates of deposit issued for the local unit's account; and

(e) at the same time that the local unit's funds are deposited and the certificates of deposit are issued, the designated public depository receives an amount of deposits from customers of other banks and savings and loan associations, wherever located, equal to the amount of funds invested by the local unit through the designated public depository.

6) The Chief Financial Officer/Finance Director is authorized and directed to make investments on behalf of the Town of Newton. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

7) Securities purchased on behalf of the Town of Newton shall be delivered electronically or physically to the Town's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Town.

8) The Chief Financial Officer/Finance Director shall report to the Town Council all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.

9) The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.

10) The Chief Financial Officer/Finance Director shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance.

**RESOLUTION #2-2023\***

**APPOINT THE TOWN MANAGER AS HEARING OFFICER IN ALL MATTERS OF DISPUTE REGARDING THE TOWN OF NEWTON FOR CALENDAR YEAR 2023**

**WHEREAS**, certain matters may arise over the course of the year which require a hearing to be conducted for the purpose of resolving issues; and

**WHEREAS**, Thomas S. Russo, Jr., Town Manager of the Town of Newton, is the representative of the Governing Body, as well as the Chief Executive and Administrative Officer of the municipality;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Town Manager is hereby appointed as Hearing Officer in all matters of dispute regarding the Town of Newton for the calendar year 2023.

**RESOLUTION #3-2023\***

**DESIGNATE LEGAL NEWSPAPERS FOR CALENDAR YEAR 2023**

**BE IT RESOLVED** by the Town Council of the Town of Newton that the newspapers listed below be designated as the official newspapers for the Town of Newton for legal advertising during the 2023 calendar year:

New Jersey Herald

New Jersey Sunday Herald

**RESOLUTION #4-2023\***

**DESIGNATE NEWSPAPERS THAT WILL RECEIVE NOTICES REQUIRED BY THE NJ OPEN PUBLIC MEETINGS ACT FOR 2023**

**WHEREAS**, Section 3D(2) of the Open Public Meetings Act, approved October 21,

January 5, 2023

1975 as Chapter 231, P.L. 1975, requires every public body to designate two (2) newspapers to receive notices required to be mailed, telephoned, telegraphed or hand delivered;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby designates the newspapers listed below as newspapers to receive notices required by the Open Public Meetings Act:

New Jersey Herald

New Jersey Sunday Herald

**RESOLUTION #5-2023\***

**ESTABLISH SCHEDULE OF PUBLIC TOWN COUNCIL MEETINGS FOR 2023**

**WHEREAS**, Section 13 of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to post and maintain posted throughout the year a schedule of the meetings of said public body;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, Sussex County, New Jersey that the following schedule for 2023 indicates all public meetings of the Newton Town Council will be held on the second and fourth Mondays of each month, unless otherwise indicated, in the Council Chambers, 39 Trinity Street, Newton, New Jersey, unless otherwise noticed; and

**Council Meetings**

7:00pm

January	23			July	17		
February	13	and	27	August	21		
March	13	and	27	September	13*	and	25
April	10	and	24	October	11*	and	23
May	8	and	22	November	13	and	27
June	12	and	26	December	11		

\*Held Wednesday

**Reorganizational Meeting**

Thursday, January 4, 2024

Noon

**BE IT FURTHER RESOLVED**, the Town Council reserves the right to conduct one or more executive sessions at any meeting of the Town Council for reasons pursuant to the executive session; and

**BE IT FURTHER RESOLVED**, that, for the purposes of the Act, the official bulletin board for posting notices shall be the bulletin board in the first-floor lobby of the Municipal Building at 39 Trinity Street, Newton, New Jersey, with said board being just outside the door of the Municipal Clerk's Office; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to The Alternative Press (TAPintoNewton), New Jersey Herald, and the NJ Sunday Herald, and a copy be filed with the Municipal Clerk; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be mailed to any person requesting notices of meetings of the Town Council pursuant to N.J.S.A. 10:4-19 and whoever has paid the required fee for such notice.

**RESOLUTION #6-2023\***

**ESTABLISH THE RATE OF INTEREST TO BE CHARGED FOR NON-PAYMENT OF TAXES ON OR BEFORE THE DUE DATE**

**WHEREAS**, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for late payment of taxes as provided by law; and

**WHEREAS**, N.J.S.A. 54:6-67 has been amended to permit the fixing of said rate at eight percent (8%) per annum for the first \$1,500.00 of the delinquency and eighteen percent (18%) per annum for amounts in excess of \$1,500.00, and an additional penalty of six percent (6%) may be collected for delinquencies in excess of \$10,000.00 from property owners who fail to pay the delinquency prior to the end of the calendar year;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to charge an eight percent (8%) per annum rate of interest on the first \$1,500.00 of taxes which become delinquent after the tax due date, and a rate of eighteen percent (18%) per annum interest on any amount of taxes due in excess of \$1,500.00 which becomes delinquent after the tax due date; and

**BE IT FURTHER RESOLVED**, that the Tax Collector is also authorized and directed to charge an additional penalty of six percent (6%) if a delinquency is in an amount in excess of \$10,000.00 and remains in arrears beyond December 31<sup>st</sup> of each calendar year; and

**BE IT FURTHER RESOLVED**, that the ten (10) day grace period for quarterly tax payments shall remain in effect, any payment of taxes not made on or before the due date in accordance with this Resolution shall be charged interest from the due date as set forth by law, and this Resolution shall take effect immediately.

**RESOLUTION #7-2023\***

**DESIGNATE OFFICIALS TO SIGN CHECKS**

**BE IT RESOLVED** by the Town Council of the Town of Newton that the Town Manager, the Town Treasurer, and/or the Chief Financial Officer are hereby designated as officials authorized to sign all municipal checks, Water and Sewer Utility checks, and payroll checks during calendar year 2023.

**RESOLUTION #8-2023\***

**DESIGNATE CHIEF FINANCIAL OFFICER/FINANCE DIRECTOR AS THE INDIVIDUAL AUTHORIZED TO SELL BOND ANTICIPATION NOTES FOR CALENDAR YEAR 2023**

**WHEREAS**, it is necessary from time to time for the Town of Newton to sell Bond Anticipation Notes or other Notes for the benefit of the municipality; and

**WHEREAS**, the Chief Financial Officer/Finance Director is the individual responsible for maintaining the financial records of the Town of Newton;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton as follows:

- 1) The Chief Financial Officer/Finance Director is hereby authorized to sell Bond Anticipation Notes and directed to determine all matters in connection with said Notes not determined by this or subsequent Resolutions.
- 2) The Chief Financial Officer/Finance Director is directed to report in writing to the Governing Body at the meeting next succeeding the date when the sale or delivery of Notes pursuant to this Resolution is made. Such report is to include the amount, description, interest rate, maturity of the Notes sold, the price obtained, and the name of the purchaser.

3) This Resolution shall take effect immediately upon its adoption.

**RESOLUTION #9-2023\***

**AUTHORIZE THE TAX ASSESSOR, THE TOWN ATTORNEY AND THE TOWN MANAGER TO ACT ON THE BEHALF OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2022 WITH REGARD TO TAX APPEALS**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that the Municipal Tax Assessor and the Town Attorney are hereby authorized to defend all contest appeals before the Sussex County Board of Taxation and the Tax Court of the State of New Jersey; and

**BE IT FURTHER RESOLVED**, that the Municipal Tax Assessor and the Town Attorney are also hereby authorized to initiate municipal appeals to correct the Town of Newton tax listing including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as may be necessary to correct the assessments for the Town of Newton; and

**BE IT FURTHER RESOLVED**, that the Municipal Tax Assessor, the Municipal Attorney, and the Town Manager are hereby designated as the agents of the Town of Newton for the purpose of signing settlements of the foregoing matters by stipulation for the 2023 Calendar Year.

**RESOLUTION #10-2023\***

**APPOINTMENT OF MAYOR AS A CLASS I MEMBER OF THE NEWTON PLANNING BOARD**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Mayor Michelle J. Teets be and is hereby appointed to the Newton Planning Board as a Class I member for the calendar year 2023.

**RESOLUTION #11-2023\***

**APPOINTMENT OF TOWN COUNCIL REPRESENTATIVE AS A CLASS III MEMBER OF THE NEWTON PLANNING BOARD**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Deputy Mayor John-Paul E. Couce be and is hereby appointed to the Newton Planning Board as a Class III member for calendar year 2023.

**RESOLUTION #12-2023\***

**CANCELLATION OF SMALL BALANCES**

**WHEREAS**, N.J.S.A. 40A: 5-17.1 allows for the cancellation of property tax refunds or delinquent amounts in the amounts of less than ten (\$10.00) dollars; and

**WHEREAS**, the Town Council of the Town of Newton may authorize the Tax Collector to process, without any further action on the part of the Governing Body, any cancellation of property tax refunds or delinquencies of less than ten (\$10.00) dollars;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton in the County of Sussex, State of New Jersey, that the Tax Collector is hereby authorized to process the cancellation of any property tax refunds or delinquencies of less than ten (\$10.00) dollars.

**RESOLUTION #13-2023\***

**GRANTING AUTHORITY FOR APPROVAL OF CERTAIN PURCHASES THROUGH NEW JERSEY STATE CONTRACTS AND/OR PURCHASING COOPERATIVES**

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L. 2011, c.139, the Governing Body may delegate the power to award purchases, contracts, and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Town of Newton is a member; and

**WHEREAS**, in the interest of streamlining Town operations and improving efficiency, it is the desire of the Mayor and Council to authorize the Purchasing Officer/Qualified Purchasing Agent (QPA) to approve purchases, contracts, and agreements through New Jersey State Contracts and/or Purchasing Cooperatives, subject to provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L. 2011, c.139 below the \$44,000.00 threshold in individual purchases and the aggregate as defined by N.J.S.A. 40A:11-2(19);

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Town of Newton that the Purchasing Officer/Qualified Purchasing Agent (QPA) upon receipt of an identified need and direction from the Town is hereby authorized to approve purchases, contracts, and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Town of Newton is a member without further action from Council, provided funds are available to cover the expenditure; and

**BE IT FURTHER RESOLVED**, purchase approvals made by the Purchasing Officer/Qualified Purchasing Agent (QPA) by virtue of the adoption of this Resolution shall be subject to the provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and that no amount of any contract shall be in excess of the bid threshold in a single purchase or the aggregate without express individual resolutions authorizing such cooperative purchases by contract number.

**RESOLUTION #14-2023\***

**RESOLUTION RECOGNIZING TOWN EVENTS AND TOWN ENDORSED EVENTS**

**WHEREAS**, the Town of Newton sponsors certain events throughout the year and endorses other privately held events for which it lends specified assistance; and

**WHEREAS**, the Town Council of the Town of Newton has adopted a policy whereby it will recognize Town and Town endorsed events by Resolution to be considered on an annual basis;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, in the County of Sussex and State of New Jersey, there shall be two categories of events run or endorsed by the Town:

Town Events – Events that are run by the Town.

Town Endorsed Events – Privately held events the Town will provide specified assistance to (some of which will be free, other which will include escrow or other fee payment).

**BE IT FURTHER RESOLVED** that the list of possible Town events and Town endorsed events for the calendar year 2022 shall be as follows:

<b>Town Events</b>	<b>Town Endorsed Events</b>
Easter Egg Hunt	Memorial Day Parade
Events at Newton Town Pool/Pavilion	Newton Day/Fireworks
Halloween Parade	Taste of Newton
Ladies' Night Out	Holiday Parade/Post-Parade Events
Movie Nights @ Memory Park	
Fall Festival	
Miss Newton Contest	
Flags of Honor	
Town-wide Garage Sale	
Neighbors Helping Neighbors	
Christmas Tree Lighting/Operation Santa	
Summer Music Concert Series	

Newton Recreation Events	
Events Related to the NPP Grant	
Newton Community Development Events	
Saint Patrick's Day Parade	
Sidewalk Sale	

**BE IT FURTHER RESOLVED** that Town Endorsed Events must meet the following criteria:

1. The event must be sponsored by a nonprofit organization with a physical office location within the Town of Newton or County of Sussex.
2. The event must be open to all Town residents, whether free or by fee.
3. Each organization shall be limited to no more than two events per calendar year.
4. The Greater Newton Chamber of Commerce (GNCC), due to its historic importance and special working relationship with the Town of Newton for decades, shall be limited to no more than six (6) outdoor events per calendar year.
5. Organizations utilizing Town-owned facilities, parks, or roadways must be in compliance with all applicable resolutions and ordinances of the Town of Newton, including, but not limited to, Chapter 307 regarding parking and traffic and Chapter 115 concerning fire prevention; and the event shall not interfere with or obstruct contiguous traffic, access to residences or businesses, or the movement of firefighting, first aid, or other safety vehicles.
6. Each organization is required to request through the Newton Town Manager's Office in writing the date of an event at least sixty (60) calendar days prior to the event. The written notice must also include any formal request for paid services to be rendered by the Newton DPW and/or the Newton Police Department.
7. The Newton Town Manager shall review all DPW and/or Police requests and determine the amount of escrow funds necessary to be provided by the sponsoring organization to the Town of Newton. Escrow funds must be provided by the sponsoring nonprofit organization to the Town of Newton twenty-one (21) calendar days prior to the date of the scheduled event. Any funds not utilized for the event shall be returned after the event within thirty (30) days by the Town of Newton Finance Department to the sponsoring nonprofit organization.
8. Each organization shall be responsible for providing honest and thorough answers on the "Town of Newton Event Checklist Application" which will be available at the Community Development Office in the Town of Newton. The Community Development Director and Town Manager shall both be required to be signatories on a final event checklist application which must be completed no later than seven (7) calendar days prior to the event. The Town will not charge a fee for any staff or professional review of said Event Checklist Application.
9. Town Endorsed Events may include but not be limited to the following: shows, carnivals, circuses, festivals, fairs, flea markets, outdoor plays, dances, concerts, theatrical events, parades, or sporting events not sponsored by the Town of Newton or Town of Newton recognized league; any event requiring temporary or permanent closure of any Town streets, sidewalks, park areas, or impacting the public health, safety and welfare of the Town or its residents; excludes weddings, funerals, memorials, graduations, or Town-sponsored functions.
- 10.

**RESOLUTION #15-2023\***

**RESOLUTION AUTHORIZING COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the Governing Body of each municipality and county to certify their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the Newton Town Council members have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto;

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Newton hereby states it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

**RESOLUTION #16-2023\***

**APPOINTMENT OF KATHRYN WALKER AS ACTION ALLIANCE COORDINATOR FOR THE TOWN OF NEWTON FOR 2023**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Kathryn Alcock be and is hereby appointed as the Action Alliance Coordinator for the Town of Newton during calendar year 2023.

**RESOLUTION #17-2023\***

**APPOINTMENT OF DEBBIE DANIELSON AS MUNICIPAL RECYCLING COORDINATOR FOR CALENDAR YEAR 2023**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Debbie Danielson, be and is hereby appointed as the Town of Newton's Municipal Recycling Coordinator for calendar year 2023.

**RESOLUTION #18-2023\***

**TO CONFIRM/ESTABLISH PETTY CASH AND CHANGE FUNDS FOR CALENDAR YEAR 2023**

**WHEREAS**, the Town of Newton maintains the following petty cash funds, as approved and recorded with the Division of Local Government Services:

Finance	\$250.00	Treasurer (Max reimbursement \$25 Excludes tax)
Water & Sewer	\$50.00	Treasurer

**WHEREAS**, The Town of Newton maintains the following change funds:

Tax	\$200.00	Tax Collector
Water & Sewer	\$200.00	Water Sewer Utility Collector
Clerk	\$200.00	Municipal Clerk
Court	\$100.00	Court Administrator
Court	\$100.00	Deputy Court Administrator
Police	\$10.00	Records Clerk

January 5, 2023

Recreation \$150.00 Recreation Supervisor

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that the aforementioned petty cash and change funds are established and confirmed.

**RESOLUTION #19-2023\***

**APPOINTMENT OF MEMBERS OF THE TOWN OF NEWTON AD HOC REDEVELOPMENT TEAM**

**WHEREAS**, the Town of Newton acknowledges there are potential benefits to the Town of Newton to be gained through the process of redevelopment; and

**WHEREAS**, opportunities for beneficial redevelopment should be thoroughly, expeditiously and efficiently evaluated and pursued;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby appoints individuals in the positions listed below to an ad hoc Redevelopment Team to evaluate and pursue redevelopment opportunities in the Town of Newton for a one-year period from January 1, 2023 through December 31, 2023; and

**BE IT FURTHER RESOLVED**, that individuals representing the following positions shall be members of the Redevelopment Team, with said meetings to be called by the Town Manager as needed:

Mayor; Deputy Mayor; Town Manager; Town Attorney; Town Planner; Town Engineer; Planning Board Chairperson; Redevelopment Counsel; and other professionals and/or staff as deemed necessary by the Town Manager; and

**BE IT FURTHER RESOLVED**, said Redevelopment Team is a purely advisory group working only in an analytical and advisory capacity and is: (a) not empowered to make any decisions; (b) has no effective authority; (c) is not empowered to act by vote; (d) is not governed by the Open Public Meetings Act; and (e) is not a "Redevelopment Agency" pursuant to N.J.S.A. 40A:12A-11.

**RESOLUTION #20-2023\***

**APPOINT LOCAL EMERGENCY PLANNING COMMITTEE FOR CALENDAR YEAR 2023**

**WHEREAS**, Appendix A:9-41 of the NJ Statutes Annotated, and N.J.A.C. 13:64-2.3 pertaining to Emergency Management, requires every New Jersey municipality create a Local Emergency Planning Committee; and

**WHEREAS**, the individual appointed as the local Emergency Management Coordinator shall also be a member of, and shall serve as Chairman of, said Local Emergency Planning Committee;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby concurs with the appointment of the individuals recommended by Emergency Management Coordinator Kenneth A. Teets for membership on the Newton Local Emergency Planning Committee for calendar year 2023 as listed below:

- |                              |   |
|------------------------------|---|
| Kenneth A. Teets             | Emergency Management Coordinator        |
| Daniel Finkle                | Deputy Emergency Management Coordinator |
| Jason Miller                 | Deputy Emergency Management Coordinator |
| Steven VanNieuwland, Chief   | Newton Police Department                |
| Thomas S. Russo, Jr.         | Newton Town Manager                     |
| Mike Razzano, Chief          | Newton Fire Department                  |
| John-Paul E. Couce, Director | Newton Vol. First Aid and Rescue Squad  |

January 5, 2023

Kenneth Jaekel	Newton Public Works Supervisor
Adam Vough	Assistant Newton Public Works Supervisor
Joseph Carr	Licensed Sewer Operator
Michael Awertschenko	Licensed Water Operator
Teresa Oswin	Newton Municipal Clerk/Deputy Town Manager
Kimberly Williams	Community Development Director
Joseph Butto	Newton/Hardyston Construction Official
Dr. Joseph S. Piccirillo	Newton School Superintendent

**BE IT FURTHER RESOLVED**, if any positions become held by different individuals in the 2022 calendar year then said individuals will assume the aforementioned titled responsibilities on Newton Local Emergency Planning Committee.

**RESOLUTION #21-2023\***

**DESIGNATION OF THERESA SCHLOSSER AS TAX SEARCH OFFICER FOR THE TOWN OF NEWTON FOR 2023**

**WHEREAS**, N.J.S.A. 54:5-11 provides that each municipality within the State of New Jersey shall designate a person to act as the Tax Search Officer for the municipality; and

**WHEREAS**, Theresa Schlosser, as Certified Tax Collector for the Town of Newton, is qualified to make examinations of the municipalities records as to unpaid municipal liens and to certify the results of that examination;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby designates Theresa Schlosser as the Tax Search Officer for the Town of Newton for calendar year 2023.

**RESOLUTION #22-2023\***

**APPOINTMENT OF SANDRA LEE DIGLIO AS TOWN COUNCIL LIAISON TO THE NEWTON BOARD OF EDUCATION**

**BE IT RESOLVED** by the Town Council of the Town of Newton that Councilmember Sandra Lee Diglio be and is hereby appointed as the Town of Newton liaison to the Newton Board of Education for calendar year 2023.

**RESOLUTION #23-2023\***

**APPOINTMENT OF MATTHEW DICKSON AS TOWN COUNCIL LIAISON TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Councilman Matthew S. Dickson be and is hereby appointed to the Economic Development Advisory Commission as the Town Council liaison member for calendar year 2023.

**RESOLUTION #24-2023\***

**APPOINTMENT OF HELEN R. LE FROIS AS TOWN COUNCIL LIAISON TO THE HISTORIC PRESERVATION ADVISORY COMMISSION**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Councilmember Helen R. Le Frois be and is hereby appointed to the Historic Preservation Advisory Commission as the Town Council liaison member for calendar year 2023.

**RESOLUTION #25-2023\***

**RESOLUTION AFFIRMING THE CURRENT FUND BALANCE POLICY**

**WHEREAS**, The Town of Newton adopted Resolution 101-2014 establishing a Fund Balance Policy on June 9, 2014 and amended it by the adoption of Resolution 50-2019 on January 28, 2019; and

**WHEREAS**, the Fund Balance Policy has been reviewed by the Town Manager and Town Auditor of the Town of Newton and it is recommended it is an appropriate Policy;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby resolves and agrees to affirm the Current Fund Balance Policy with the following guidelines:

1. The Town of Newton shall establish or maintain fund balance, whereby the percentage of fund balance anticipated to the total budget will not exceed 12%.
2. The Town of Newton hereby establishes the policy of maintaining an end of the calendar year fund balance, which is between 3%-10% of the prior year tax levy.
3. The Governing Body will not anticipate more fund balance than the statutory excess of fund balance of the prior year (amount collected). If the fund balance anticipated will exceed the statutory excess of the prior year, a reason must be stated at an open budget meeting. A plan shall be developed to restore fund balance within a three-year period.
4. Amounts appropriated in the ensuing budget, which reduce the fund balance below the policy guidelines for the purpose of reducing the ensuing year's property tax levy, may be made only upon a specific vote of the Governing Body.
5. The Governing Body, by vote, can declare a fiscal emergency and withdraw any amount of General Fund balance for purposes of addressing the fiscal emergency. Any such action must also provide a plan to restore fund balance to the Target policy level within a five-year period.

This policy will be reviewed by the Governing Body every three years following adoption or sooner at the direction of the Governing Body.

#### **RESOLUTION #26-2023\***

##### **RESOLUTION AFFIRMING THE WATER SEWER UTILITY FUND BALANCE POLICY**

**WHEREAS**, The Town of Newton adopted Resolution 101-2014 establishing a Fund Balance Policy on June 9, 2014 and renewed and amended it by the adoption of Resolution 49-2019 on January 28, 2019; and

**WHEREAS**, the Fund Balance Policy has been reviewed by the Town Manager and Town Auditor of the Town of Newton and it is recommended it is an appropriate Policy;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby resolves and agrees to affirm the Water Sewer Utility Fund Balance Policy with the following guidelines:

1. The Town of Newton shall establish or maintain fund balance, whereby the percentage of fund balance anticipated to the total budget will not exceed 12%.
2. The Town of Newton hereby establishes the policy of maintaining an end of the calendar year fund balance, which is between 3%-10% of the prior year tax levy.
3. The Governing Body will not anticipate more fund balance than the statutory excess of fund balance of the prior year (amount collected). If the fund balance anticipated will exceed the statutory excess of the prior year, a reason must be stated at an open budget meeting. A plan shall be developed to restore fund balance within a three-year period.
4. Amounts appropriated in the ensuing budget, which reduce the fund balance below the policy guidelines for the purpose of reducing the

ensuing year's property tax levy, may be made only upon a specific vote of the Governing Body.

5. The Governing Body, by vote, can declare a fiscal emergency and withdraw any amount of General Fund balance for purposes of addressing the fiscal emergency. Any such action must also provide a plan to restore fund balance to the Target policy level within a five-year period.
6. This policy will be reviewed by the Governing Body every three years following adoption or sooner at the direction of the Governing Body.

**RESOLUTION #27-2023\***

**APPOINTMENT OF VIRGINIA RAFTERY AS CLEAN COMMUNITIES COORDINATOR FOR THE TOWN OF NEWTON FOR 2023**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Virginia Raftery be and is hereby appointed as the Clean Communities Coordinator for the Town of Newton during calendar year 2023.

**RESOLUTION #29-2023\***

**APPOINTMENT OF THE MUNICIPAL AUDITOR FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2023**

**WHEREAS**, the Town of Newton has a need to acquire auditing services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, the anticipated term of this contract is for calendar year 2023; and

**WHEREAS**, auditing service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, Nisivoccia LLP has submitted a proposal dated November 10, 2022 indicating they will provide the 2023 auditing services for \$31,500.00, prepare the Annual Financial Statement in the NJ DLGS FAST System for \$3,500.00, and review and certify the budget for \$2,000.00; additional services, should they be required, would be billed at amounts set forth in the contract with hourly rates not to exceed \$185.00 per hour; and

**WHEREAS**, Nisivoccia LLP has completed and submitted a Business Entity Disclosure Certification which certifies Nisivoccia LLP has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit Nisivoccia LLP from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has certified, subject to the availability and appropriation of sufficient funds in the 2023 budgets, funds will be provided in the 2023 Municipal Current Budget – Audit Services #1054300 in the amount of \$22,200.00 and in the 2023 Water Sewer Utility Budget – Audit Services #6051205 in the amount of \$14,800.00 to support an agreement with Nisivoccia in the total amount of \$37,000.00;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Nisivoccia LLP as described herein; and

**BE IT FURTHER RESOLVED**, the Business Disclosure Entity Certification and the Determination of Value be filed in the Municipal Clerk's office; and

**BE IT FURTHER RESOLVED**, notice of this action shall be published once in the New Jersey Herald.

January 5, 2023

**RESOLUTION #30-2023\***

**AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR AUDITING SERVICES FOR REVIEW OF STATEMENT OF ASSETS AVAILABLE FOR BENEFITS FOR LOSAP WITH NISIVOCIA LLP**

**WHEREAS**, the Town of Newton will require the services of a qualified Auditor to examine the Statement of Net Assets Available for Benefits for the Town of Newton's Emergency Services Volunteer Length of Service Award Program (LOSAP) as of December 31, 2022; and

**WHEREAS**, auditing service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, the accounting firm Nisivoccia LLP has furnished an appropriate contract for said services for a maximum contract amount of \$2,000.00; and

**WHEREAS**, Nisivoccia LLP has completed and submitted a Business Entity Disclosure Certification which certifies that said firm has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit the firm from making any reportable contributions through the term on the contract; and

**WHEREAS**, the anticipated term of this contract is for calendar year 2023; and

**WHEREAS**, the Chief Financial Officer has certified that funds will be provided in the 2023 Municipal Current Budget – Audit Services #1054300 to support this agreement with Nisivoccia LLP in the amount not to exceed \$2,000.00;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Town Manager is hereby authorized to execute a contract on behalf of the municipality for review of their LOSAP Statement of Net Assets Available for Benefit and said contract will remain on file in the Municipal Clerk's office; and

**BE IT FURTHER RESOLVED**, that a copy of the fully executed contract be forwarded to Nisivoccia LLP and that notice of this award be published in accordance with the Local Public Contracts Law.

**RESOLUTION #31-2023\***

**AUTHORIZE AND DIRECT THE TAX COLLECTOR TO SELL MUNICIPAL LIENS IN ACCORDANCE WITH NEW JERSEY LAW IN 2023**

**WHEREAS**, the Governing Body of the Town of Newton in the County of Sussex, New Jersey, desires to collect all taxes, assessments, and other municipal charges that are now delinquent; and

**WHEREAS**, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2021 in a manner prescribed by NJSA 54:5-19 and amended by Chapter 99, Public Laws of 1998;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with the New Jersey Statutes, as described above, and that said sale shall take place in 2023.

**RESOLUTION #32-2023\***

**AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR DAVID B. SIMMONS, JR., OF HAROLD E. PELLOW & ASSOCIATES, INC., AS WATER ENGINEER FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2023**

January 5, 2023

**WHEREAS**, the Town of Newton requires the services of a qualified Water Engineer for the Town of Newton on an annual basis; through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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

**WHEREAS**, the anticipated term of this contract is for the 2023 calendar year(s); and

**WHEREAS**, David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., in the aggregate is expected to exceed the pay to play threshold of \$17,500.00; and

**WHEREAS**, David B. Simmons, Jr., has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2023 Temporary and Permanent budgets, funds NOT TO EXCEED \$47,000.00 will be encumbered as follows:

**2023 Water Sewer Utility Budget – Engineer Contractual #6051217**

*“The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount.”*

**NOW, THEREFORE BE IT RESOLVED**, the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., not to exceed \$47,000 for the 2023 calendar year; and

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

**RESOLUTION #33-2023\***

**ADOPTION OF THE TEMPORARY OPERATING BUDGET AND TEMPORARY WATER AND SEWER BUDGET FOR 2023**

**WHEREAS**, funds are needed to operate the Municipal Government and the Water and Sewer Utility for the first ninety (90) days of calendar year 2023; and

**WHEREAS**, N.J.S.A. 40A:4-19 provides for adoption of a Temporary Budget, not to exceed twenty-six and one-quarter percent (26.25%) of the total of the appropriations made for all purposes in the budget for the preceding year excluding, in both instances, appropriations made for interest and debt redemption charges, capital improvement fund and public assistance;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the 2023 Temporary Operating Budget and the 2023 Temporary Water and Sewer Utility Budget be and are hereby approved, pending adoption of the 2023 Annual Municipal Budget and the 2023 Water and Sewer Utility Budget.

**2023 TEMPORARY CURRENT BUDGET CALCULATION**

\$ 14,374,765.	Total 2022 Budget
2,288,451.	Less: Debt (principal & interest)
-0-	Less: Public Assistance
<u>215,000.</u>	Less: Capital Improvements
\$11,871,314.	Amount on which % is applied
x <u>.2625</u>	Percentage increase allowed by state
\$ 3,116,220.	Allowable 2023 Temporary Budget

**APPROPRIATIONS NOT SUBJECT TO 26.25% INCREASE**

Capital Improvements	OE	1095200	100,000
Debt Service	OE	1096200	600,000

**2023 TEMPORARY WATER AND SEWER BUDGET**

	<b><u>2022 BUDGET</u></b>	<b><u>2023 TEMPORARY BUDGET</u></b>
Salaries and Wages	\$ 1,189,198	\$ 312,164
Other Expenses	2,384,900	626,035
DCRP	1,400	368
PE R S	35,500	9,319
Unemployment	4,300	1,129
Social Security System	<u>87,100</u>	<u>22,864</u>
	3,702,398	971,879
	x <u>.2625</u>	
	\$ 971,879	
<b>TOTAL 2023 TEMPORARY WATER &amp; SEWER BUDGET</b>		\$ 971,879
<b>TOTAL 2023 TEMPORARY W&amp;S CAPITAL IMPR BUDGET</b>		\$ 450,000
<b>TOTAL 2023 TEMPORARY W&amp;S DEBT SERVICE BUDGET</b>		\$ 200,000

**RESOLUTION #34-2023\***

**APPOINTMENT OF VARIOUS ATTORNEYS FOR CALENDAR YEAR 2023**

**WHEREAS**, the Town of Newton has a need to acquire legal counsel for certain specific matters under non-fair and open contracts pursuant to provisions of N.J.S.A. 19:44A-20; and

**WHEREAS**, said professional services will be needed by the Town of Newton during calendar year 2023, and appropriate agreements for the appointment of each attorney have been prepared and executed by said attorneys; and

**WHEREAS**, the below named professionals have completed and submitted a Business Entity Disclosure Certification which certifies each professional has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit the professional from making any reportable contributions through the term of the contract; and

**WHEREAS**, the anticipated term of each individual contract is one (1) year;

January 5, 2023

**NOW, THEREFORE BE IT RESOLVED**, the Town Council of the Town of Newton authorizes the Mayor and Municipal Clerk to execute an agreement in duplicate with each professional listed below:

Eric M. Bernstein, Esq., of Eric M. Bernstein & Associates, LLC	Municipal Attorney
Steven M. Siegel, Esq., of The Law Offices of Timothy P. Downs, LLC	Municipal Prosecutor
Robert B. McBriar, Esq., of Schenck, Price, Smith & King, LLP	Tax Appeal & Municipal Conflict Attorney
James T. Prusinowski, Esq., of Trimboli & Prusinowski, LLC	Labor Relations Attorney
Daniel P. Agatino, J.D., PhD Gruber, Colabella, Liuzza & Thompson	Municipal Public Defender
Martin Allen, Esq. of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.	Tax Appeal Conflict Attorney

**BE IT FURTHER RESOLVED**, a fully executed copy of each agreement be provided to each of the respective attorneys with a certified copy of this Resolution and advertised according to State Statute.

#### **RESOLUTION #35-2023\***

#### **AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR J. CALDWELL & ASSOCIATES, LLC AS PLANNER FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2023**

**WHEREAS**, the Town of Newton requires the services of a qualified Planner for the Town of Newton on an annual basis; through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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

**WHEREAS**, the anticipated term of this contract is for the 2023 calendar year(s); and

**WHEREAS**, J. Caldwell & Associates, LLC, in the aggregate is expected to exceed the pay to play threshold of \$17,500.00; and

**WHEREAS**, J. Caldwell & Associates, LLC has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies J. Caldwell & Associates, LLC has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2023 Temporary and Permanent budgets, funds NOT TO EXCEED \$100,000.00 will be encumbered as follows:

**2023 Current Budget – Community Devel. #1064216 & Planning Board #1062216**  
**2023 Water Sewer Utility Budget – Consultant #6051216**  
**Trust Escrow Accounts as applicable**  
**General Capital – Redevelopment**  
**Grants – Neighborhood Preservation and Historic**

*“The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount.”*

**NOW, THEREFORE BE IT RESOLVED**, the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with J. Caldwell & Associates LLC, not to exceed \$100,000 for the 2023 calendar year; and

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

**RESOLUTION #36-2023\***

**APPOINTMENT OF KEITH MITCHELL OF THE MITCHELL INSURANCE AGENCY AS INSURANCE AGENT FOR CALENDAR YEAR 2023**

**WHEREAS**, the Town Council of the Town of Newton previously appointed local insurance agents to provide insurance coverage on behalf of the municipality; and

**WHEREAS**, said insurance services will be needed during calendar year 2023;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that Mr. Keith Mitchell, of the Mitchell Agency, 29 Trinity Street, Newton, NJ 07860, be named as agent of record effective January 1, 2023 for the following insurance policies:

- a) Package SIF2023-07860
- b) Workers' Compensation WC2023-07860
- c) Umbrella Policy SIF2023-07860
- d) Fire Accident Insurance VFP-4231-3258E-6
- e) Fire Life AD&D Insurance GL163635

**BE IT FURTHER RESOLVED**, that the above-named insurance agent is appointed to provide insurance services without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-1(1)(a) of the Local Public Contracts Law, because the services to be provided are of a nature requiring specific professional skills and knowledge; and

**BE IT FURTHER RESOLVED**, that notice of this action shall be published once in the New Jersey Herald.

**RESOLUTION #37-2023\***

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the following appointments be made:

<u>Board/Commission</u>	<u>Name</u>	<u>Term</u>	<u>Expiration Date</u>
Advisory Board of Health	William Hagaman	5 Years	December 31, 2027
Economic Development Advisory Commission	Evin Joice	3 Years	December 31, 2025
Economic Development Advisory Commission	Robert Boyle	3 Years	December 31, 2025
Historic Preservation Advisory Commission	Harry Kaplan	4 Years	December 31, 2026
Parking Authority	Keith Mitchell	5 years	December 31, 2027
Planning Board	Earl Schick	4 Years	December 31, 2026
Planning Board	Barbara Vrahnos	4 Years	December 31, 2026

**RESOLUTION #38-2023\***

**AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR FREDERICK J. MARGRON, P.E., REM, CEA, OF THE FIRM PROFESSIONAL CONSULTING, INC., AS SEWER ENGINEER FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2023**

**WHEREAS**, the Town of Newton requires the services of a qualified Sewer Engineer for the Town of Newton on an annual basis; through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

January 5, 2023

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

**WHEREAS**, the anticipated term of this contract is for the 2023 calendar year(s); and

**WHEREAS**, Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., in the aggregate is expected to exceed the pay to play threshold of \$17,500.00; and

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

**WHEREAS**, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2023 Temporary and Permanent budgets, funds NOT TO EXCEED \$75,000.00 will be encumbered as follows:

**2023 Water Sewer Utility Budget - Engineer Contractual #6051218 - \$60,000.00**

**2023 Water Sewer Utility Budget - Consulting Service #6051216 - \$15,000.00**

*"The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount."*

**NOW, THEREFORE BE IT RESOLVED**, the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., not to exceed \$75,000.00 for the 2023 calendar year; and

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

#### **RESOLUTION #39-2023\***

#### **AUTHORIZE AN AGREEMENT WITH HOLZHAUER & HOLENSTEIN, LLC FOR APPRAISAL SERVICES FOR DEFENSE OF STATE LEVEL TAX APPEALS IN CALENDAR YEAR 2023**

**WHEREAS**, the Town of Newton anticipates the need for a professional appraiser and consultant in connection with emerging and ongoing tax appeal litigation within the Town of Newton; and

**WHEREAS**, Michael E. Holenstein of Holzhauer & Holenstein, LLC has submitted a proposal for his continued appraisal services to defend such tax appeals, which is acceptable to the Newton Governing Body; and

**WHEREAS**, appraisal service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, the anticipated term of this contract is one (1) year, January 1, 2023 through December 31, 2023; and

**WHEREAS**, the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2023 Temporary and Permanent budgets, funds NOT TO EXCEED \$17,500.00 will be encumbered as follows:

#### **1055218 TAX ASSESS - OE - CONSULTANT SERVICES**

*"The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount."*

January 5, 2023

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby authorizes the execution of an agreement with Holzhauer & Holenstein, LLC, for appraisal services as outlined in Mr. Holenstein's proposal dated December 1, 2022; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Holzhauer & Holenstein, LLC and a notice of this agreement be in the newspaper of record published in accordance with the Local Public Contracts Law.

**RESOLUTION #40-2023\***

**APPOINTMENT OF ALAN ABRAMSON AS VOLUNTEER SENIOR CITIZEN COORDINATOR FOR THE TOWN OF NEWTON FOR 2023**

**BE IT RESOLVED**, by the Town Council of the Town of Newton, that Alan Abramson be and is hereby appointed as the volunteer Senior Citizen Coordinator for the Town of Newton during calendar year 2023.

**RESOLUTION #41-2023\***

**AUTHORIZING THE TOWN OF NEWTON TO ENTER INTO AN AGREEMENT WITH EXCEL ENVIRONMENTAL RESOURCES, INC., FOR ENVIRONMENTAL ENGINEERING SERVICES FOR CALENDAR YEAR 2023**

**WHEREAS**, the Town of Newton is in need of environmental engineering services for calendar year 2023; and

**WHEREAS**, EXCEL Environmental Resources, Inc., can provide environmental engineering services, in accordance with N.J.S.A. 40A:11-9; and

**WHEREAS**, environmental engineering services are exempt from bidding requirements per N.J.S.A. 40A:11-3, et. seq.; and

**WHEREAS**, the Town of Newton desires to enter into an agreement with EXCEL Environmental Resources, Inc., for environmental engineering services, effective January 1, 2023 through December 31, 2023, based on the proposal submitted dated October 5, 2022;

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

1. This resolution hereby serves as an Agreement between the Town of Newton and EXCEL Environmental Resources, Inc., for environmental engineering services for calendar year 2023; and
2. A copy of this resolution and EXCEL Environmental Resources, Inc., proposal dated October 5, 2022 be place on file in the Municipal Clerk's Office.

**RESOLUTION #42-2023\***

**AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR DECOTIIS, FITZPATRICK, COLE AND GIBLIN, LLC FOR REDEVELOPMENT COUNSEL FOR 2023**

**WHEREAS**, there exists a need for specialized legal services for the Town of Newton, in the County of Sussex, New Jersey in connection with the redevelopment program in the Town; and

**WHEREAS**, such special legal services can be provided best by a recognized Redevelopment Counsel firm, and the law firm of DeCotiis, FitzPatrick, Cole and Giblin, LLC, Paramus, New Jersey is so recognized by the financial community; and

January 5, 2023

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2023 Budgets the Chief Financial Officer will certify funds pursuant to NJAC 5:30-5.5 (b2) open-end contract:

Amounts, not to exceed \$75,000, will be encumbered when services are ordered directly against the applicable General Capital ordinances, Legal accounts, Water Sewer Capital ordinances, Trust escrow accounts, or the 2023 Current Budget – Community Development #1064216.

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX AS FOLLOWS:**

1. The law firm of DeCotiis, FitzPatrick, Cole and Giblin, LLC, Paramus, New Jersey is hereby retained to provide the specialized legal services necessary in connection with redevelopment in accordance with an Agreement based on the proposal dated as of December 6, 2022 and submitted to the Town (the "Contract").
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. The services to be rendered by DeCotiis, FitzPatrick, Cole and Giblin, LLC, shall be on an "as needed" requirement, as sought by the Town of Newton in an amount **not to exceed \$75,000.00.**
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Town and notice of this action shall be published once in the New Jersey Herald.

**RESOLUTION #43-2023\***

**AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR GIBBONS P.C. FOR BOND COUNSEL FOR 2023**

**WHEREAS**, there exists a need for specialized legal services for the Town of Newton, in the County of Sussex, New Jersey in connection with the authorization and/or issuance of bonds in the Town; and

**WHEREAS**, such special legal services can be provided best by a recognized Bond Counsel firm, and the law firm of Gibbons P.C., Newark, New Jersey is so recognized by the financial community; and

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2023 Budgets the Chief Financial Officer will certify funds pursuant to NJAC 5:30-5.5 (b2) open-end contract:

Amounts, not to exceed \$25,000, will be encumbered when services are ordered directly against the applicable General Capital ordinances, Legal accounts, Water Sewer Capital ordinances, and/or Trust escrow accounts.

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX AS FOLLOWS:**

1. The law firm of Gibbons P.C., Newark, New Jersey is hereby retained to provide the specialized legal services necessary in connection with bond counsel in accordance with an Agreement submitted to the Town on October 27, 2022 (the "Contract").

January 5, 2023

2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. The services to be rendered by Gibbons P.C., shall be on an "as needed" requirement, as sought by the Town of Newton in an amount **not to exceed \$25,000.00**.
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Town and notice of this action shall be published once in the New Jersey Herald.

#### **RESOLUTION #44-2023\***

##### **AUTHORIZE PAYMENT OF RECURRING BILLS**

**WHEREAS**, all claims of payment by the Town of Newton, County of Sussex, State of New Jersey, are required to be first submitted to the Mayor and Town Council for consideration before payment is made; and

**WHEREAS**, due to the nature of certain claims and timing of the particular meetings involved, certain claims should be paid when presented which are statutory and regular in nature, rather than held for the next meeting of the Mayor and Town Council due to the nature of said bills;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Town Council of the Town of Newton that we hereby approve the payment between meetings of the following enumerated claims for payment, when the same are presented to the Mayor and Town Council and Chief Finance Officer of the Town of Newton.

- a. Town of Newton, net payroll, and payroll deduction accounts
- b. Town of Newton, Board of Education
- c. County Treasurer (County taxes only)
- d. Banks for investment Purposes/Inter-fund transfers/Debt Service payments Bond/Note payments
- e. Statewide Insurance Fund, NJ Municipal Employee Benefits Fund, Vision Service Plan, and all other insurances
- f. Repair of emergency, police, and rescue vehicles; parts needed for said vehicles; and critical equipment related to the operations of the DPW/Police or emergency services
- g. Bond Releases
- h. All Utility Payments
- i. Employee Reimbursements
- j. Petty Cash Reimbursements
- k. Lien Redemptions
- l. Premium Redemptions

#### **RESOLUTION #45-2023\***

##### **PROCEDURE FOR CLAIMANT CERTIFICATION**

**WHEREAS**, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a); and

**WHEREAS**, the local units are now given discretion to require a claimant certification as it deems necessary and appropriate; and

**WHEREAS**, the Chief Financial Officer, Monica B. Miebach of the Town of Newton, recommends a claimant signature only be required for the following:

January 5, 2023

- Transactions above the dollar threshold of \$6,600
- Reimbursement to Town Employees
- Sole Proprietors
- Deposits in advance of work and travel

**WHEREAS**, the Chief Financial Officer and Town Manager recommend the adoption of this Claimant Signature policy;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Town of Newton that, effective immediately, Claimant Certification be waived on the Town Purchase Orders with the exceptions noted above.

#### **RESOLUTION #46-2023\***

##### **AWARD OF AN INSURANCE BROKER OF RECORD CONTRACT FOR EMPLOYEE BENEFITS**

**WHEREAS**, the Town of Newton (the "Town") requires the services of an insurance broker of record in order to oversee the Town's employee benefits program including medical, prescription, dental, vision, and Cobra administration as determined by the Town; and

**WHEREAS**, the Town is presently a member of the North Jersey Municipal Employee Benefits Fund ("NJMEBF"); and

**WHEREAS**, Health Insurance Broker and/or the Town's program administrator/representative to the NJMEBF is exempt from public bidding and may be awarded via resolution pursuant to N.J.S.A. 40A:11-5(m), in accordance with the requirements for extraordinary unspecifiable services; and

**WHEREAS**, The Vozza Agency ("Broker") is qualified to provide the above referenced services; and

**WHEREAS**, the Town is hereby authorized and directed to execute a Broker of Record authorization and to cause a notice of this decision to be published in accordance with N.J.S.A. 40A:11-5.

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. This agreement is hereby authorized and approved.
3. The Vozza Agency is hereby appointed to represent the Town as Broker of Record for employee benefits including medical, prescription, dental, vision, and Cobra administration.
4. The Vozza Agency is here appointed and designated as the Program Administrator/Town representative to NJMEBF.
5. The Town is hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.
6. This resolution shall be effective immediately.

#### **RESOLUTION 47-2023\***

##### **RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A MUTUAL TERMINATION OF EASEMENTS CONCERNING EASEMENTS LOCATED ON BLOCK 18.02, LOT 31 AND BLOCK 18.02, LOT 3**

January 5, 2023

**WHEREAS**, Alex Cable, Inc. is the owner in fee simple of certain real property known as 280 Spring Street, Newton, New Jersey, and designated as Block 18.02, Lot 31 on the official Tax Maps of the Town of Newton (formerly known as Block 13.01, Lot 1.06) (the "Cable Property"); and

**WHEREAS**, Natural Selection, LLC is the owner in fee simple of certain real property known as 4 Diller Avenue (aka 43 Sparta Avenue), Newton, New Jersey, and designated as Block 18.02, Lot 3 on the Official Tax Maps of the Town of Newton; (the "Natural Selection Property"); and

**WHEREAS**, the Housing Authority of the Town of Newton is the grantee and the Town of Newton is the designated beneficiary of certain storm sewer easements that encumber the Cable Property and the Natural Selection Property (collectively the "Storm Sewer Easements"); and

**WHEREAS**, the Housing Authority of the Town of Newton is the grantee and the Town of Newton is the designated beneficiary of certain waterline easements that encumber the Cable Property and the Natural Selection Property (collectively the "Waterline Easements" and collectively with the Storm Sewer Easements, the "Easements"); and

**WHEREAS**, Alex Cable, Inc., Natural Selection, LLC, the Housing Authority of the Town of Newton and the Town of Newton have determined it is in their mutual interests to terminate the Easements;

**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 Council of the Town of Newton do hereby authorize the Town Manager to execute the mutual termination of easements, a copy of which is annexed hereto and incorporated herein.

**RESOLUTION #48-2023\***

**RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN ACCESS AND REMEDIATION AGREEMENT WITH JCP&L AND ELIZABETHTOWN GAS COMPANY WITH REGARD TO BLOCK 22.04, LOT 9**

**WHEREAS**, the Town of Newton ("Town") owns the premises identified as Block 22.04, Lot 9 (Diller Avenue Rear) ("Premises"); and

**WHEREAS**, a portion of the Town Premises is adjacent to the site of a former manufactured gas plant formerly located at or about Diller Avenue, Newton, NJ ("MGP Site"), identified by the New Jersey Department of Environmental Protection as Preferred ID 001041; and

**WHEREAS**, Jersey Central Power and Light Company ("JCP&L") previously conducted certain prior work on or about the Town Premises and other adjacent properties and the MGP Site in connection with MGP Materials in soils, groundwater, and other media. The prior work was conducted pursuant to one (1) or more prior access agreements or licenses; and

**WHEREAS**, JCP&L plans to conduct additional work in connection with its remediation at the Town Premises and requests the Town to enter into an Access and Remediation Agreement to permit and grant to JCP&L and the Elizabethtown Gas Company rights for access in connection with such remediation and work at, from, and about the Town Premises;

**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 Council of the Town of Newton do hereby authorize the Town Manager to execute the Site Access and Remediation Agreement, including the Deed Notice with regards to Block 22.04, Lot 9.

**RESOLUTION #50-2023\***

**RESOLUTION TO AWARD SLUDGE HAULING BID FROM NEGOTIATIONS, BID #13-2022/13R-2022**

**WHEREAS** the Town of Newton has a need for sludge hauling for the daily operations of the water and sewer utility; and

**WHEREAS**, the Town had sought to obtain a vendor through two (2) bids, 13-2022 and 13R-2022, publicly sought on November 2, 2022, and November 23, 2022; and

**WHEREAS**, the Town availed itself of the negotiations remedy under the New Jersey Local Publics Contract Law at N.J.S.A.40A:11-5(3); and

**WHEREAS**, on December 16, 2022, the Town representatives engaged in negotiations with vendors in accordance with N.J.S.A. 40A:11-5(3) for the terms and tenets as contained within Bids 13-2022 and 13R-2022; and

**WHEREAS**, vendors responded in the following amounts:

NAME OF BIDDER	Russell Reid Waste Hauling and Disposal Service Co., Inc.	Spectraserv Inc	Wind River Environmental	TAM Enterprises Inc.
1A. Bid for Sludge Trucking to Passaic Valley Sewer Commission	\$0.0820	\$0.1100	\$0.0870	\$0.1600
1B. Bid for Sludge Trucking to Parsippany Troy Hills Incinerator	\$0.0791	\$0.1100	\$0.0800	\$0.1800
2A. Bid for Trucking of Water Filtration Plant Liquid Chemical Waste from Morris Lake Reservoir in Sparta, NJ to be trucked to Newton Waste Water Treatment Plant for disposal.	\$0.0791	\$0.1200	\$0.0800	no bid

**WHEREAS**, subject to the approval of future budgets, the Chief Financial Officer certifies funding is available from:

Account #6077221

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

Russell Reid Waste Hauling and Disposal Service Co., Inc. is hereby awarded the contract to provide for the Department of Public Works sludge hauling for a two (2) year contract.

**RESOLUTION #51-2023\***

**APPROVAL OF CONTRACTS FOR CHEMICAL SUPPLIES BID PER BID #16R-2022**

**WHEREAS**, there is a need for Chemical Supplies for use at the Town of Newton Water and Sewer Treatment Plants; and

January 5, 2023

**WHEREAS**, the Town publicly advertised in a fair and open manner consistent with N.J.S.A.19:44A-20.5 and received and opened bids for 16R-2022 Chemical Supply at 10:00A.M. on November 22, 2022; and

**WHEREAS**, the Town of Newton received six (6) bids for Chemical Supplies under bid 16R-2022 to wit:

NAME OF BIDDER	Holland Company, Inc.	Miracle Chemical Company	George S. Coyne Chemical Company, Inc.	PVS Minibulk Inc.	JCI Jones Chemicals, Inc.	Main Pool & Chemical Co., Inc.
Bid Item 1 - Liquid sodium carbonate, as called for in the Specifications 90,000 gallons 15%	NO BID	NO BID	\$5.9372/ gallon - \$534,348.00	NO BID	NO BID	\$1.37/gallon - \$123,300.00, 3-5 days
Bid Item 2 - Bid Item 2 - Epic WWW 2400 24,000 – 26,000 GALLONS YEARLY	\$5.71/Gallon - \$137,040- \$148,450.00 - 1-3 days	NO BID	NO BID	NO BID	NO BID	NO BID
Bid Item 3 - Liquid gas sulfur dioxide, as called for in the Specifications 10,950 pounds	NO BID	NO BID	NO BID	NO BID	\$1.5333/ gallon, \$16,789.64 - no days indicated	NO BID
Bid Item 4 - Liquid hydrofl /Gas, as called for in Specifications 10,950 ponds	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Bid Item 5 - Liquid Sodium Hydroxide, as called for in Specifications 5,500 gallons 25%	NO BID	NO BID	\$4.8517/ gallon - \$26,684.35	\$5.06/ Gallon, \$27,830.00 - 3-5 days	NO BID	\$4.28/gallon - \$23,540.00
Bid Item 6 - Liquid Hydrofluosilic Acid, as called for in Specifications 1,250 gallons	NO BID	NO BID	\$7.5458/ gallon - \$9,432.25	NO BID	NO BID	NO BID
Bid Item 7 - Liquid SodiumHypochlorite, as called for in Specifications 7,500 gallons	NO BID	\$6.48 gallon, \$48,600.00 - 7 days	\$6.4943/ gallon - \$48,707.25	\$4.56/ Gallon, \$34,200.00 - 3-5 days	NO BID	\$3.90/gallon - \$29,250.00, 3-5 days

**WHEREAS**, the lowest responsible bidder in accordance with N.J.S.A.40A:11-4(a), was found to be:

Bid Item 1 - Liquid sodium carbonate, as called for in the Specifications 90,000 gallons 15%	Main Pool & Chemical Co., Inc.	\$1.37/gallon - \$123,300.00, 3-5 days
Bid Item 2 - Bid Item 2 - Epic WWW 2400 24,000 – 26,000 GALLONS YEARLY	Holland Company, Inc.	\$5.71/Gallon - \$137,040-\$148,450.00 - 1-3 days
Bid Item 3 - Liquid gas sulfur dioxide, as called for in the Specifications 10,950 pounds	JCI Jones Chemicals, Inc.	\$1.5333/ gallon, \$16,789.64 - no days indicated
Bid Item 5 - Liquid Sodium Hydroxide, as called for in Specifications 5,500 gallons 25%	Main Pool & Chemical Co., Inc.	\$4.28/gallon - \$23,540.00
Bid Item 6 - Liquid Hydrofluosilic Acid, as called for in Specifications 1,250 gallons	George S. Coyne Chemical Company, Inc.	\$7.5458/ gallon - \$9,432.25
Bid Item 7 - Liquid SodiumHypochlorite, as called for in Specifications 7,500 gallons	Main Pool & Chemical Co., Inc.	\$3.90/gallon - \$29,250.00, 3-5 days

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2023 and 2024 budgets, the Chief Financial Officer will certify funds pursuant to N.J.A.C. 5:30-5.5 (b2) open-end contract: through the budgetary accounting encumbrance process set forth in N.J.A.C. 5:30-5.3(c) and 5:30-5.4(b), in the amounts provided for in the bids as follows:

2023 Water Sewer Budget - #6064208 – Water-Chemicals  
 2023 Water Sewer Budget - #6077208 – Sewer-Chemicals

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

- Contracts of award will commence January 15, 2023, through January 14, 2025;
- Main Pool & Chemical Co. Inc. 110 Commerce Road. Dupont, Pennsylvania, 18641** is awarded a two (2) year contract for Bid Item 1 -

Liquid sodium carbonate, as called for in the Specifications 90,000 gallons 15% yearly at the rate of \$1.37/gallon - \$123,300.00, 3-5 days;

3. **Holland Company Inc., 153 Howland Avenue, Adams, Massachusetts, 01220** is awarded a two (2) year contract for Bid Item 2 - Epic WWW 2400 24,000 – 26,000 gallons yearly at the rate of \$5.71/Gallon estimated yearly at \$137,040-\$148,450.00, deliverable in 1-3 days;
4. **JCI Jones Chemicals Inc., 1765 Ringling Blvd., Sarasota, Florida, 34236**, is awarded a two (2) year contract for Bid Item 3 - Liquid gas sulfur dioxide, as called for in the Specifications 10,950 pounds at the rate of \$1.5333/ gallon, estimated at \$16,789.64;
5. **Main Pool & Chemical Co. Inc. 110 Commerce Road. Dupont, Pennsylvania, 18641**, is awarded a two (2) year contract for Bid Item 5 - Liquid Sodium Hydroxide, as called for in Specifications 5,500 gallons 25%, at the rate of \$4.28/gallon - \$23,540.00;
6. **George S. Coyne Chemical Company Inc., 3015 State Road, Croydon, Pennsylvania, 19021-6997** is awarded a two (2) year contract for Bid Item 6 - Liquid Hydrofluosilic Acid, as called for in Specifications 1,250 gallons \$7.5458/ gallon - \$9,432.25
7. **Main Pool & Chemical Co. Inc. 110 Commerce Road. Dupont, Pennsylvania, 18641**, is awarded a two (2) year contract for Bid Item 7 - Liquid Sodium Hypochlorite, as called for in Specifications 7,500 gallons, at the rate of \$3.90/gallon - \$29,250.00, 3-5 days.

**RESOLUTION #52-2023\***

**AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS**

**WHEREAS**, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons stated;

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

**CREDIT FOR MINIMUM USAGE ON STUCK METER:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
26344	222 High Street	\$525.00

**RESOLUTION #53-2023\***

**REIMBURSE TOWN EMPLOYEES FOR VEHICLE EXPENSES FOR CALENDAR YEAR 2023**

**WHEREAS**, certain Town of Newton employees use their private vehicles in connection with Town business; and

**WHEREAS**, such employees routinely use their vehicles for travel within Sussex County; and

**WHEREAS**, it is appropriate to reimburse said Town employees for use of their personal vehicles;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the employees listed below receive the following **quarterly** allowances for all vehicular trips within Sussex County effective January 1, 2023:

<u>Employee</u>	<u>Position</u>	<u>Estimated Miles/Qtr.</u>	<u>Quarterly Amount</u>
Scott Holzhauer	Tax Assessor	200 miles	\$115.00

January 5, 2023

Danielle Finkle	Recreation Supervisor	200 miles	\$115.00
Jason Miller	Deputy OEM Coordinator & Deputy Fire Chief	350 miles	\$200.00

**BE IT FURTHER RESOLVED**, the following employees are to receive an **annual** stipend for vehicular trips for Town banking purposes:

<b>Employee</b>	<b>Position</b>	<b>Amount</b>
Theresa Schlosser	Tax Collector	\$150.00
Jacki Shackleton	Utility Collector	\$150.00

**BE IT FURTHER RESOLVED**, that for out-of-town business trips, employees, and officers of the Town of Newton who use their personal means of transportation shall be reimbursed, in accordance with the IRS standard allowance for business miles driven, in effect at the time of travel, from Newton to the point of destination and return during calendar year 2023.

### **RESOLUTION #54-2023\***

#### **AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR PAULUS, SOKOLOWSKI AND SARTOR, LLC AS ALTERNATE WATER AND SEWER ENGINEERS FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2023**

**WHEREAS**, the Town of Newton requires the services of a qualified alternate Water and Sewer Engineers for the Town of Newton on an annual basis; through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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

**WHEREAS**, the anticipated term of this contract is for the 2023 calendar year(s); and

**WHEREAS**, the firm Paulus, Sokolowski and Sartor, LLC, in the aggregate is expected to exceed the pay to play threshold of \$17,500.00; and

**WHEREAS**, Paulus, Sokolowski and Sartor, LLC, has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies Paulus, Sokolowski and Sartor, LLC., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2023 Temporary and Permanent budgets, funds NOT TO EXCEED \$40,000.00 will be encumbered as follows:

#### **2023 Water Sewer Utility Budget - Engineer Contractual #6051218 - \$40,000.00**

*"The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount."*

**NOW, THEREFORE BE IT RESOLVED**, the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Paulus, Sokolowski and Sartor, LLC not to exceed \$40,000.00 for the 2023 calendar year; and

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

### **RESOLUTION #55-2023\***

#### **AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR KKPR MARKETING AND PUBLIC RELATIONS**

January 5, 2023

**WHEREAS**, the Town of Newton has a need to maintain an informative website, promote its marketing events through social media and other venues, and ensure the public is well informed regarding events sponsored by the Town of Newton and others, by KKPR Marketing and Public Relations, through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

**WHEREAS**, the anticipated term of this contract is for the 2023 calendar year(s); and

**WHEREAS**, the services of KKPR Marketing and Public Relations in the aggregate is expected to be in excess of the pay to play threshold of \$17,500.00; and

**WHEREAS**, KKPR Marketing and Public Relations has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies KKPR Marketing and Public Relations has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit KKPR Marketing and Public Relations, from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer hereby certifies funds NOT TO EXCEED \$20,210.00, are available as follows:

**2023 Current Budget**

#1050244    \$11,605.00    #6051244    \$8,605.00

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with KKPR Marketing and Public Relations not to exceed \$20,210.00 for the 2023 calendar year; and

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

**RESOLUTION #56-2023\***

**AUTHORIZE CHANGE ORDER NO. 1 AND ACCEPT AS FINAL AND COMPLETE THE PROPOSED RESURFACING OF SMITH STREET AND GRAND AVENUE PROJECT**

**WHEREAS**, on July 18, 2022, the Newton Town Council adopted Resolution #175-2022, awarding the Resurfacing of Smith Street and Grand Avenue Project to Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, NJ in the amount of \$747.20; and

**WHEREAS**, the Town Engineer, Harold E. Pellow, Harold E. Pellow & Associates, Inc., recommends in his memo dated December 12, 2022, approving Change Order No. 1 for the above referenced project for an increase in the amount of \$87.04 for a new contract total of \$834.24;

**WHEREAS**, the Town Engineer, Harold E. Pellow, Harold E. Pellow & Associates, Inc., also recommends in his memo dated December 12, 2022, the final paperwork be processed and the project be accepted as final and complete by the Town Council;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby approves Change Order No. 1 and accepts the Resurfacing of Smith Street and Grand Avenue Project as final and complete based on the recommendation of the Town Engineer, so the final paperwork can be completed.

**RESOLUTION #57-2023\***

**Authorize Change Order No. 1 and Accept as Final and Complete the Proposed Improvements to Lawnwood Avenue, Nelson Street, and East Clinton Street Project**

January 5, 2023

**WHEREAS**, on July 27, 2022, the Newton Town Council adopted Resolution #169-2022, awarding the Proposed Improvements to Lawnwood Avenue, Nelson Street, and East Clinton Street Project to Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, NJ in the amount of \$3,775.40; and

**WHEREAS**, the Town Engineer, Harold E. Pellow, Harold E. Pellow & Associates, Inc., recommends in his memo dated December 12, 2022, approving Change Order No. 1 for the above referenced project for an increase in the amount of \$753.84 for a new contract total of \$4,529.24;

**WHEREAS**, the Town Engineer, Harold E. Pellow, Harold E. Pellow & Associates, Inc., also recommends in his memo dated December 12, 2022, the final paperwork be processed and the project be accepted as final and complete by the Town Council;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby approves Change Order No. 1 and accepts the Proposed Improvements to Lawnwood Avenue, Nelson Street, and East Clinton Street Project as final and complete based on the recommendation of the Town Engineer, so the final paperwork can be completed.

#### **RESOLUTION #58-2023\***

#### **REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 22.01, LOT 23, ALSO KNOWN AS 64 SUSSEX STREET**

**WHEREAS**, at the Municipal Tax Sale held on October 13, 2021, a lien was sold on Block 22.01, Lot 23, also known as 64 Sussex Street for 2020 delinquent taxes; and

**WHEREAS**, this lien known as Tax Sale Certificate #2021-007 was sold to FIG cust FIGNJ19, LLC & Sec Pty for a 0% redemption fee and a premium in the amount of \$27,200.00; and

**WHEREAS**, on behalf of the owner, Belmont Title has affected the redemption of Certificate #2021-007 in the amount of \$15,709.77;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body acknowledges FIG cust FigNJ19, LLC & Sec Pty is entitled to a redemption in the amount of \$15,709.77 as well as the return of the premium in the amount of \$27,200.00; and

**BE IT FURTHER RESOLVED**, the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$15,709.77 for the redemption and a check in the amount of \$27,200.00 for the return of the premium for Certificate #2021-007 to FIG cust FIG19NJ, LLC & Sec Pty, PO Box 54226, New Orleans, LA 70154.

#### **RESOLUTION #59-2023\***

#### **Resolution Authorizing the Use of Omnia Partners, Formerly Known As US Communities National Cooperative**

**WHEREAS**, N.J.S.A. 52:34-6.2 authorizes contracting units, including the Town of Newton, to make purchases and contract for services through the use of nationally recognized and accepted cooperative purchasing agreements that have been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey or within any other state; and

**WHEREAS**, the Town of Newton has determined the use of cooperative purchasing agreements may result in significant cost savings and is desirous of joining and participating in a national cooperative called the Omnia Partners formerly known as US Communities National Cooperative; and

January 5, 2023

**WHEREAS**, Omnia Partners, 840 Crescent Centre Drive, Franklin, TN 37067 is a private cooperative, complying with New Jersey Local Finance Notice 2012-10 by ensuring lead agency procurements are offered to the New Jersey region in accord with the mandates as described within the Local Finance Notice; and

**WHEREAS**, the Town of Newton desires to become a member of Omnia Partners for the purposes of purchasing goods and or services through a procurement process that is more efficient and provides a cost savings to the Town;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that the Town of Newton be and hereby is authorized to join and become a member of Omnia Partners, 840 Crescent Centre Drive, Franklin, TN 37067; and

**BE IT FURTHER RESOLVED**, the Mayor and/or Town Manager are authorized to execute any agreement and the Clerk is authorized to attest to the signature of the Mayor and/or Town Manager on any agreement signed in connection with joining and participating in Omnia Partners National Cooperative; and

**BE IT FURTHER RESOLVED**, the Town of Newton Qualified Purchasing Agent shall be responsible for ensuring that all goods and/or services procured through Omnia Partners comply with all laws of the State of New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey.

**RESOLUTION #60-2023\***

**REAPPOINTMENT OF JESSICA M. VOLLERO AS ANIMAL CONTROL OFFICER FOR THE TOWN OF NEWTON**

**WHEREAS**, N.J.S.A. 4:19-15.16b, states a Governing Body of a municipality shall appoint a certified Animal Control Officer who shall be responsible for animal control within the jurisdiction; and

**WHEREAS**, Jessica M. Vollero, has successfully satisfied the requirements pursuant to P.L. 1983 Chapter 525 as a Certified Animal Control Officer;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby reappoints Jessica M. Vollero as the Animal Control Officer for the Town of Newton for Calendar Year 2023.

**RESOLUTION #61-2023\***

**RESOLUTION OF SUPPORT FROM THE TOWN OF NEWTON TO SUBMIT AN APPLICATION AND ABIDE BY CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FY2023 LOCAL RECREATIONAL IMPROVEMENT GRANT PROGRAM**

**WHEREAS**, the Town of Newton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$75,000.00 to carry out a project to make the Pine Street Park playground equipment ADA-accessible, with a provided local match of \$25,000.00 for a total project cost of \$100,000.00;

**NOW, THEREFORE BE IT RESOLVED**, the Town of Newton does hereby authorize the application for such a grant; and

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

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

<b>(signature)</b>	<b>(signature)</b>
Michelle J. Teets	Thomas S. Russo, Jr.
<b>(type or print name)</b>	<b>(type or print name)</b>
Mayor	Town Manager
<b>(title)</b>	<b>(Title)</b>

**RESOLUTION #62-2023\***

**RESOLUTION AUTHORIZING THE HIRING OF AN INTERNET TECHNOLOGY SUPPORT COMPANY THROUGH THE COMPETITIVE CONTRACTING PROCESS**

**WHEREAS**, the Town of Newton has a requirement for information technology consultant services for its municipal operations; and

**WHEREAS**, such services are authorized under the New Jersey Local Public Contracts Law (N.J.S.A.40A:11-4.1(a)) to be procured through the competitive contracting process; and

**WHEREAS**, the Town desires to evaluate such service offerings from vendors within the procedures as set forth in the New Jersey Local Public Contracts Law (N.J.S.A.40A:11-4.1 et. seq. and N.J.A.C. 5:34-4 et. Seq.); and

**WHEREAS**, the Town desires to enter into a contract for the option of up to a maximum of five (5) years, that will satisfy the needs of the Town; and

**WHEREAS**, as per statute the process will be administered by the Qualified Purchasing Agent (N.J.S.A 40A:11-4.5(d));

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

The Qualified Purchasing Agent is hereby authorized to commence the competitive contract/procurement as allowable under the New Jersey Local Public Contracts Law for information technology consultant, allowing for a minimum of 20 days notice after advertisement to receive responses, per Local Public Contracts Law.

**RESOLUTION #63-2023\***

**APPROVE BILLS AND VOUCHERS FOR PAYMENT**

**BE IT RESOLVED** by the Town Council of the Town of Newton that payment is hereby approved for all vouchers that have been properly authenticated and presented for payment, representing expenditures for which appropriations were duly made in the 2022 and 2023 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

**List of Bills - CLEARING/CLAIMS**

<b>Check#</b>	<b>Vendor# Vendor Name</b>	<b>Check Total</b>
7427	3773 - A&S HYDRAULICS INC .....	640.00
7428	2799 - AFLAC .....	1,854.46
7429	3869 - AMERICAN FIDELITY ASSURANCE .....	562.22

7430	3868	- AMERICAN FIDELITY ASSURANCE COMPANY .....	654.16
7431	4645	- ANDOVER TRANSMISSION .....	3,600.00
7432	3891	- ARMSTRONG, ADAM .....	150.00
7433	2792	- ATLANTIC SALT, INC. ....	14,148.69
7434	4448	- ATLANTIC URGENT CARE LLC .....	127.00
7435	4026	- AUTOZONE INC. ....	39.26
7436	4559	- AWERTSCHENKO, MICHAEL .....	150.00
7437	1994	- BARCO PRODUCTS COMPANY .....	2,791.90
7438	4492	- BOGART'S CARPET & FLOOR COVERING .....	4,955.30
7439	1132	- BOONTON TIRE SUPPLY INC. ....	4,801.63
7440	300	- BRIGHTSPEED .....	125.85
7441	300	- BRIGHTSPEED .....	42.60
7442	300	- BRIGHTSPEED .....	3,269.54
7443	300	- BRIGHTSPEED .....	41.31
7444	300	- BRIGHTSPEED .....	47.96
7445	702	- C W A LOCAL 1032 .....	259.69
7446	3893	- CAMPBELL SUPPLY OF SUSSEX CTY LLC .....	2,438.36
7447	192	- CAMPBELL'S SMALL ENGINE INC.....	205.94
7448	3015	- CAPITOL SUPPLY CONST PRODUCTS, INC. ....	676.52
7449	506	- CARR, JOSEPH .....	150.00
7450	77	- CCP INDUSTRIES, INC. ....	310.48
7451	4628	- CELLEBRITE INC.....	2,695.50
7452	4235	- CHAMPIGNON, CRAIG .....	150.00
7453	3770	- CINTAS .....	244.88
7454	155	- COYNE CHEMICAL CORP., INC. ....	2,408.46
7455	4500	- CRYSTAL MOUNTAIN SPRINGS .....	115.50
7456	4642	- CURRENT, LINDA .....	250.00
7457	4386	- DECOTIIS, FITZPATRICK, COLE& GIBLIN, LLP .....	286.20
7458	768	- DEMPSEY UNIFORM & SUPPLY INC .....	1,273.82
7459	2589	- DENVILLE LINE PAINTING, INC. ....	5,363.48
7460	2386	- DOMINICK'S PIZZA LLC .....	1,920.60
7461	106	- ELIZABETHTOWN GAS .....	4,228.45
7462	225	- FEDERAL EXPRESS .....	5.54
7463	4622	- FORD ANTHONY .....	150.00
7464	3318	- FREDON ANIMAL HOSPITAL .....	93.84
7465	2684	- GARDEN STATE HIGHWAY PRODUCTS, INC.....	1,135.44
7466	200	- GARDEN STATE LABORATORIES INC .....	7,164.00
7467	4536	- GATEHOUSE MEDIA NEW YORK HOLDINGS, INC. ....	390.79
7468	4384	- GIBBONS P.C. ....	1,075.00
7469	4643	- GLOBAL VENTURE 284, LLC .....	1,811.35
7470	2313	- GRAVITY DESIGN WORKS, INC. ....	4,750.00
7471	4600	- GUEST, JOSHUA .....	150.00
7472	230	- HAYEK'S MARKET INC. ....	300.91
7473	4337	- HFE SERVICES LLC .....	3,231.00
7474	3876	- HOLLAND COMPANY, INC. ....	6,639.60
7475	1712	- HOLZHAUER & HOLENSTEIN, LLC .....	6,500.00
7476	1866	- HOME DEPOT, INC. ....	2,640.74
7477	4537	- INDIAN MASALA LLC .....	100.00
7478	1714	- JAEKEL, KENNETH .....	150.00
7479	113	- JCP&L .....	12,461.18
7480	4553	- JESSICA VOLLERO .....	1,265.63
7481	2618	- JMC ENVIRONMENTAL CONSULTANTS, INC. ....	765.00
7482	3644	- JOHNNY ON THE SPOT, LLC. ....	785.96
7483	2353	- KATHERINE CITTERBART .....	558.72
7484	1774	- KAY PRINTING & ENVELOPE CO.INC. ....	1,154.00
7485	2427	- KEY-TECH, INC. ....	1,820.00
7486	2569	- KIEFFER ELECTRIC, .....	2,191.20
7487	365	- KITHCART, BROCK .....	150.00
7488	3711	- KKPR MARKETING & PUBLIC RELATIONS, .....	800.00
7489	4012	- LEXIPOL .....	1,690.00
7490	2848	- LEYMAN .....	150.00
7491	3985	- LEYMAN, JUSTIN .....	150.00
7492	391	- LOU'S GLASS .....	189.90
7493	2854	- MCGARRY DUSTIN .....	150.00

7494	409	- MINISINK PRESS INC .....	268.00
7495	53	- MONTAGUE TOOL & SUPPLY, INC. ....	554.71
7496	3450	- MORRIS ASPHALT SUPPLY, LLC .....	295.16
7497	2567	- MUNICIPAL RECORD SERVICE .....	940.00
7498	3728	- MUNICIPAL SAFETY SUPPLY .....	225.00
7499	700	- NEWTON PATROLMANS ASSOCIATION .....	840.00
7500	1745	- NEWTON SUPERIOR OFFICERS .....	420.00
7501	336	- NEWTON TROPHY .....	19.50
7502	1621	- NJ DIV ALCOHOL BEVERAGE CONTR .....	36.00
7503	2835	- NJMEBF .....	196,451.00
7504	706	- NJMVC .....	60.00
7505	4638	- NO ACCESS ARMOR .....	1,777.88
7506	4324	- O'REILLY'S PUB .....	75.00
7507	4587	- OCEAN RESORT CASINO .....	438.00
7508	4639	- OLMSTED MURAL GROUP .....	750.00
7509	2718	- OSWIN III WILLIAM .....	150.00
7510	2216	- PALL CORPORATION .....	83,493.00
7511	3954	- PAR TROY SOUND OF NEWTON, INC. ....	450.00
7512	64	- PELLOW, HAROLD & ASSO, INC. ....	9,056.44
7513	64	- PELLOW, HAROLD & ASSO, INC. ....	2,540.22
7514	2788	- PENTELEDATA .....	319.90
7515	4204	- PLANET NETWORKS INC. ....	5,337.37
7516	1532	- PRIME TIME NEWTON SENIORS .....	3,300.00
7517	4126	- PROFESSIONAL CONSULTING INC. ....	23,976.50
7518	39	- QUILL CORPORATION .....	106.87
7519	2478	- RACHLES/MICHELE'S OIL COMPANY, INC. ....	3,025.63
7520	4399	- Rileighs Outdoor LLC .....	8,121.30
7521	4236	- ROWETT, ERIK .....	150.00
7522	1755	- S/NJ TOXICOLOGY LABORATORY .....	180.00
7523	3134	- SHOP RITE, INC. ....	494.71
7524	1125	- SIRCHIE FINGER PRINT LABS, LLC. ....	1,134.76
7525	3117	- SOME'S WORLD WIDE UNIFORMS, INC. ....	320.00
7526	4024	- SPECTROTEL .....	591.11
7527	2257	- STAPLES .....	107.37
7528	2257	- STAPLES .....	258.54
7529	2257	- STAPLES .....	876.06
7530	2257	- STAPLES .....	397.06
7531	43	- STAPLES CREDIT PLAN, INC. ....	145.25
7532	146	- STATE OF NEW JERSEY - PWT .....	490.14
7533	3309	- STRAUS NEWS, INC. ....	150.00
7534	280	- STRAWAY, THOMAS .....	150.00
7535	2056	- SUBURBAN PROPANE, LP. ....	5,267.84
7536	3442	- SUNLIGHT GENERAL .....	1,031.02
7537	3897	- SYNCHRONY BANK .....	1,425.24
7538	3897	- SYNCHRONY BANK .....	2,483.11
7539	2479	- TAYLOR OIL CO., INC. ....	3,426.01
7540	4278	- TEXAS LIFE INSURANCE COMPANY .....	35.45
7541	676	- THE EQUITABLE .....	10,880.00
7542	2675	- TIRE KING, INC. ....	674.00
7543	4630	- TOP BUSINESS SOLUTIONS INC .....	398.00
7544	2880	- TRACTOR SUPPLY .....	61.76
7545	691	- TRANS WORLD ASSURANCE CO. ....	400.00
7546	2781	- TRIMBOLI & PRUSINOWSKI, LLC. ....	3,655.00
7547	4305	- UGI ENERGY SERVICES LLC .....	5,299.26
7548	4621	- UJVARY .....	150.00
7549	4130	- UNITED FIRE PROTECTION CORP. ....	3,600.00
7550	1257	- UNUM LIFE/DISABILITY INSUR .....	676.14
7551	2716	- UPSEU LOCAL 424J .....	756.00
7552	4617	- VALLEY MEDICAL GROUP .....	173.00
7553	3114	- VAN METER & ASSOC'S INC. ....	300.00
7554	2485	- VAN NIEUWLAND STEVE .....	23.83
7555	3682	- VANDERGROEF JASON .....	150.00
7556	4499	- VERBAL JUDO INSTITUTE INC .....	450.00
7557	1280	- VERIZON WIRELESS, INC. ....	1,678.43

January 5, 2023

7558	1158	- VISION SERVICE PLAN .....	241.81
7559	2540	- VOUGH ADAM .....	150.00
7560	2635	- W.B. MASON, INC .....	212.43
7561	1500	- WALMART .....	226.09
7562	2576	- WHITE JOE .....	150.00
7563	4560	- WISTUBA, TIM .....	150.00
7564	3892	- WISTUBA, TRAVIS .....	150.00
7565	3726	- WITMER PUBLIC SAFETY GROUP, INC. ....	1,796.56
7566	4624	- YETI HOLDINGS, INC. ....	840.00
<b>TOTAL</b>			<b>517,933.02</b>

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

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

**RESOLUTIONS**

**RESOLUTION #28-2023**

**CONCUR WITH THE TOWN MANAGER'S APPOINTMENT OF SPECIAL POLICE OFFICERS**

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

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager's appointment of the following individuals as Special Police Officers for calendar year 2023:

**Class II**

Raul Couce

Stephen Moran

Daisy Negrón

A motion was made by Mrs. Le Frois to approve **RESOLUTION #28-2023**, seconded by Mrs. Diglio and roll call resulted as follows:

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

**APPOINTMENT**

At this time, Mayor Teets made the Mayor's Appointment to the Planning Board by appointing the Town Manager, Thomas S. Russo, Jr., as a Class II Representative to the Newton Planning Board.

January 5, 2023

**OPEN TO THE PUBLIC**

Mayor Teets opened the meeting to the public.

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

Mr. Russo thanked everyone for coming and invited everyone to stay for food and refreshments.

There being no further business to be heard, upon motion of Mrs. Le Frois, seconded by Mrs. Diglio and carried, the meeting was unanimously adjourned at 12:37 p.m.

Respectfully submitted,



Teresa A. Oswin, RMC  
Municipal Clerk