

# NEWTON HOUSING AUTHORITY

## AGENDA

**Date:** Monday, January 3rd , 2022

**Time:** 5:00 PM

**Location:** 32 Liberty Street, Newton, NJ

### 1. CALL TO ORDER

### 2. ROLL CALL

**Chairperson:** Maria Fiedorczyk  
**Vice-Chairman:** Richard Bitondo  
**Commissioners:** Mary Ann Carlson  
Rick Turdo  
Wendy Vandermaas  
Karen Crossley

### 3. ANNOUCEMENT OF OPEN MEETINGS ACT

Adequate notice of this meeting has been provided by the filing of an Annual Meeting Notice with Municipal Clerk, posting on the official bulletin board and delivery of same to the Herald News and Star Ledger on December 14th, 2021. The New Jersey Open Public Meeting Law was enacted to ensure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this Act, the Newton Housing Authority has caused notice of this meeting to be advertised by having the date, time, and place posted on the Newton Housing Authority Website.

Members of the public are welcomed and encouraged by the Newton Housing Authority to comment during the "Public Comments" portions of the meeting. There will be two (2) "Public Comments" sections of the meeting. Residents can address the Board of Commissioners on agenda items during the "Public Comment-Agenda items" portion of the meeting and general subjects of interest during the "Public Comments-General Items" portion of the meeting (for items not on the agenda segment of the meeting). All questions and comments from the public will be directed to the Chairperson. When addressing the Board of Commissioners, please give your name and address.

### 4. APPROVAL OF THE MINUTES: December 13th, 2021

### 5. ADMINISTRATIVE REPORT

Executive Director's Report & Discussion

- a. Building Disinfecting
- b. Smoking Policy Status
- c. Wi-Fi status

### 6. OLD BUSINESS

**7. PUBLIC COMMENTS-Agenda Items**

**8. NEW BUSINESS**

**9. RESOLUTIONS**

**RESOLUTION #2022-1, Approval of Bill List for the January 2022 Meeting**

WHEREAS, while administering the operations of the Newton Housing Authority expenses are incurred; and

WHEREAS, it is necessary to pay invoices monthly after being presented to the Board of Commissioners;

NOW THEREFORE

BE IT RESOLVED by the Board of Commissioners of the Newton Housing Authority as follows:

That the attached list of bills for January 2022 meeting in the amount of \$34,425.12  
be approved for payment.

2. That the proper officers of the Authority be authorized to pay all items on the list of invoices.
3. That this Resolution shall take effect immediately.

**RESOLUTION #2022-2, Approval of Contract Garbage/Recycling**

WHEREAS, the Newton Housing Authority has a need for garbage and recycling removal from Liberty Towers; and

WHEREAS, the Housing Authority's Procurement Policy requires that the Authority solicit proposals for all goods and services; and

WHEREAS, the Housing Authority issued a formal Request for Proposals that was duly published in the official newspaper of general circulation; and

WHEREAS, the Housing Authority received one (1) proposal in response to its duly published Request for Proposals; and

WHEREAS, the term of the contract shall be for two (2) years; and

WHEREAS, the Executive Director has reviewed the proposal and has determined that the contract should be awarded to the lowest priced proposal; NOW THEREFORE

BE IT RESOLVED by the Board of Commissioners of the Newton Housing Authority that a contract for garbage/recycling services be hereby awarded to:

Waste Management of NJ  
107 Silvia Street  
Ewing, NJ 08628

In the amounts of: \$772.01 Monthly-6-yard container for garbage & \$408.92 Monthly-6 yard Recycling Container

BE IT FURTHER RESOLVED that funds for these services have been made available through the Housing Authority's operating budget and the solicitation was undertaken as a fair and open process in accordance with the state's Pay to Play regulations.

**10. PUBLIC COMMENTS-General Items**

**11. EXECUTIVE SESSION (if necessary)**

**12. ADJOURNMENT**

**Attachments:**

- a. January Bill List
- b. Resident Notice-COVID Precautions
- c. 2022 Annual Meeting Notice
- d. Revised Public Comment Policy
- e. RFP-Masonry Repair
- f. RFP-Exterminating
- g. Smoking Policy Documents

**Newton Housing Authority**  
**Bill List**

**JANUARY 2021 AGENDA**

<u>Vendor</u>	<u>Amount</u>	
Ace Walco	\$342.40	12/1/2021
Annual Appropriations Bill	\$768.00	PERS - Remittances must be electronic
Approved Fire & Security Inc.	\$414.43	
CenturyLink	\$ 171.28	Service 11/22/21 - 12/21/21
Clean Team Inc.	\$ 570.00	Jan
Dexsaida Charon	\$150.00	Disinfecting / Sanitizing
Elizabethtown Gas	\$4,555.39	11/2/21 - 12/2/21
Execu-Tech, Inc.	\$ 12,855.16	
Home Depot	\$ 97.93	
Jennie Switzer	\$ 200.00	
Jersey Central Power & Light	\$3,850.15	
Joan Casterlin	\$200.00	
NJ Star Ledger	\$65.10	RFP Containers Legal Ad
PenTeleData	\$ 101.48	12/10/21 - 1/10/22
Polcari & Company	\$ 1,400.00	Dec
Powell Flooring	\$ 3,388.02	2B
RAMM Environmental Services, Inc.	\$850.00	Right To Know Survey Compliance Servi
Roto-Rooter	\$220.00	2N
TGM Services	\$192.00	3B
TGM Services	\$1,940.00	Hot Water Heater
UnifiedVox	\$93.46	
Waste Management	\$417.78	Recyclable
Waste Management	\$ 1,582.54	6 Yard Dumpster
<b>TOTAL</b>	<b>\$ 34,425.12</b>	

# HOUSING AUTHORITY *of the* TOWN OF NEWTON

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32 LIBERTY STREET, NEWTON, NEW JERSEY 07860

Telephone: (973) 383-5191 • Fax: (973) 383-1181 • TDD: 800-545-1833 Ext.428

December 13<sup>th</sup>, 2021

## IMPORTANT NOTICE

To: All Residents of Liberty Towers

From: William F. Snyder, Executive Director

Re: COVID 19 Precautions

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The Center for Disease Control (CDC) is reporting the spread of a new variant of the Coronavirus. The “Omicron” variant has been reported in thirty-four (34) states including New Jersey. We are always concerned about the health and safety of our resident and their ability to ward off the virus. It is our goal to be proactive in assuring that the new virus does not infect our building and residents.

We are requesting that everyone take the necessary steps to protect yourself and your neighbors. These measures are highly recommended:

- 1) Get Vaccinated! If you have been vaccinated, get the booster shot.
- 2) Wear a mask! It is highly recommended that you wear a mask in all indoor areas of the building. The mask should be worn over your nose and mouth.
- 3) Stay six (6) feet away from others! Avoid close contact with people who are sick. Maintain a 6-foot distance between yourself and others.
- 4) Avoid crowds and poorly ventilated spaces (i.e., restaurants, movie theatres, etc.).
- 5) Wash your hands often with soap and water for at least 20 seconds especially after being in a public space, or after blowing your nose, coughing, or sneezing.
- 6) Cover coughs and sneezes. Always cover your mouth and nose with a tissue when you sneeze or cough or use the inside of you elbow and do not spit. Immediately wash your hands with a hand sanitizer of at least 60% alcohol.
- 7) Clean all surfaces after you have visitors in your apartment (i.e., tables, doorknobs, light switches, countertops, phones, toilets, faucets, and sinks).
- 8) Monitor your health daily! Watch for fever, shortness of breath or other system of COVID 19. Take your temperature if symptoms develop.
- 9) Get tested if you have COVID 19 symptoms. If the test result is positive, follow all CDC guidelines.

At the current time, we are requesting your assistance in protecting yourself and your neighbors against an infection. If circumstances change in the future, we reserve the right the implement more rigorous requirements for our residents and your visitors.

HOUSING AUTHORITY OF THE TOWN OF NEWTON

32 Liberty Street  
Newton, New Jersey  
07860

ANNUAL MEETING NOTICE

In accordance with the provisions of Chapter 231, Public Laws 1975, Annual Notice of the schedule of the regular meetings of the Housing Authority of the Town of Newton, County of Sussex, State of New Jersey for the year 2022 is hereby provided.

Public meetings will be held in the Community Room at Liberty Towers, 32 Liberty Street, Newton, New Jersey 07860.

<u>Date</u>	<u>Time</u>	<u>Date</u>	<u>Time</u>
January 3rd, 2022	5 PM	No July Meeting	
February 14th, 2022	5 PM	August 8th, 2022	5 PM
March 14th, 2022	5 PM	September 12th, 2022	5 PM
April 11th, 2022	5 PM	October 17th, 2022	5 PM
May 9th, 2022	5 PM	November 14th, 2022	5 PM
June 13th, 2022	5 PM	December 12th, 2022	5 PM

Date: 12/14/2021

WILLIAM F. SNYDER  
Executive Director

Instructions: Publish in the NJ Herald & Star Ledger.

Post on the Official Bulletin Board in the Town of Newton, NJ.

# NEWTON HOUSING AUTHORITY

## Statements and Comments from The Public

Members of the public are welcomed and encouraged by the Newton Housing Authority to comment during the “Public Comments” portions of the meeting. There will be two (2) “Public Comments” sections of the meeting. Residents can address the Board of Commissioners on agenda items during the “Public Comment-Agenda items” portion of the meeting and general subjects of interest during the “Public Comments-General Items” portion of the meeting (for items not on the agenda segment of the meeting). All questions and comments from the public will be directed to the Chairperson. When addressing the Board of Commissioners, please give your name and address.

The Housing Authority invites and encourages participation by the public in its meetings, and members of the public may utilize five (5) minutes of time for remarks and questions. Any further remarks or questions beyond the time limit must be authorized by the Chairperson.

### Public Comment Procedures

- The two (2) Open “Public Comments” portions of the meeting will be conducted at the beginning of the meeting (agenda Items) and at the conclusion of the business portion of the meeting (general items).
- Raise your hand to be recognized. When recognized by the Chair, state your name and address for the official record before directing your question or comment to the Chairperson.
- You will have five (5) minutes to speak, unless otherwise instructed.
- Residents are only entitled to one (1) comment per public meeting.
- The Chair will direct the speaker to conclude their remarks once the speaker’s time has expired.

These are guidelines to help Board members hear as many different viewpoints as possible in the limited time available. If you are speaking for a group, you should tell the Board how the group developed the position that you are presenting.

If previous speakers have already made the comments you wish to make, feel free to simply identify yourself and indicate your agreement with what has already been said.

Board Members or staff are not obligated to answer impromptu questions or address remarks from members of the public during the public comment period. Speakers should expect the Board to refrain from engaging in a dialogue, except to the extent necessary to clarify the speaker’s position. The allotted time for speaking from the floor is the method to address the Board during the public comment period. The Board will not act on an item presented during public comment. When appropriate, the Board may refer inquiries and items brought up during public comment to Authority staff for follow up.

Speakers and members of the public should always maintain proper decorum and shall make their comments in a civil manner. Personal attacks, obscenity, derogatory or slanderous remarks will not be tolerated. Speakers will not discuss matters regarding the candidacy of any person

# REQUEST FOR BIDS

## Masonry Repair



Due: Wednesday, January 26th, 2022, by 10:00 AM

Newton Housing Authority  
32 Liberty Street  
Newton, New Jersey 07860  
973 383-5191



## REQUEST FOR BIDS

The Newton Housing Authority, 32 Liberty Street, Newton, New Jersey will accept proposals for repair and replacement of sidewalk, curbing and a stone wall. It is the Housing Authority's desire to retain and employ a duly qualified and capable contractor. All services must be in accordance with the existing laws, rules, orders, directives, and regulations governing these services.

The services that are requested will be as follows:

- 1) Remove and replace damaged curbing in Exhibit 1,
- 2) Remove and replace damaged sidewalk in Exhibit 2. The new sidewalks must be constructed to withstand the load of a garbage truck (approx. 70,000 lbs.).
- 3) Repair of damaged stone wall (Exhibit 3)
- 4) The contractor must provide all labor, equipment, and materials to complete all work.
- 5) Payment shall be made at the completion of the work with a final requisition for payment.
- 6) All work shall be guaranteed for one (1) year from the date of completion.
- 6) The contractor will be required to remove all related debris at the conclusion of each workday. Do not discard in the Housing Authority's dumpster.
- 7) The contractor shall always maintain a safe and secure work area.

Qualifications:

- 1) Should be in the masonry repair business a minimum of three years.
- 2) Must be approvable by the U.S. Department of Housing and Urban Development to provide these services.

Bid Submission:

All persons interested in submitting a proposal for the Housing Authority's masonry repair and replacement of a sidewalk, curbing and stone wall should submit a price based upon a lump sum for each of the three (3) items requested. The proposal must include the following:

- 1) Proposal Form
- 2) An itemization of other expenses (if any).
- 3) Copy of the vendor's insurance certificate.
- 4) Listing of references and current customers.

Proposals should be delivered to the Newton Housing Authority, 32 Liberty Street, Secaucus, New Jersey on or before January 26th, 2022, by 10:00 AM. The building is available for inspection between the hours of 11:00 AM to 4:00 PM, Monday to Friday.

The Housing Authority reserves the right to reject any and all proposals received for these services. It also reserves the right to terminate the vendor, for convenience, at any time during the term of the contract. The Authority may choose to utilize the New Jersey Cooperative Purchasing Program, at any time during the contract, if their prices are lower than the selected vendor.

This solicitation for proposals is being made in accordance with the New Jersey Local Unit Pay to Play law (NJSA 19:44A 20.4 et seq.) as a "fair and open" process. All proposals will be publicly opened on the date and time specified in the RFP.

WILLIAM F. SNDYER  
Executive Director

**PROPOSAL CHECKLIST**

- \_\_\_\_\_ Proposal Form (including Price)
- \_\_\_\_\_ Copy of Vendor's Insurance Certificate
- \_\_\_\_\_ Listing of References and Current Customers (include telephone numbers)
- \_\_\_\_\_ New Jersey Business Registration Form

Please check off each item that is being submitted with the proposal and include this sheet with the proposal. Failure to include these items with the bids will result in rejection of the proposal.

\_\_\_\_\_  
Signature

Date:

**PROPOSAL FORM**

PROPOSAL FOR REPAIR AND REPLACEMENT OF SIDEWALK,  
CURBING AND STONE WALL

Newton Housing Authority  
32 Liberty Street  
Newton, New Jersey 07860

Submitted by:

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

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Telephone Number: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Price for Curbing: \$ \_\_\_\_\_

Price for Sidewalk: \$ \_\_\_\_\_

Price for Wall: \$ \_\_\_\_\_

Other Expenses (specify in  
detail) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\*Price Includes all work outlined in the attached Request for bids.

Date: \_\_\_\_\_

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Contractor's Signature

The Housing Authority reserves the right to reject any and all proposals received in response to its R.F.P. The proposal must contain all the attachments as stated in the "Proposal Submission" section of the R.F.P.

Legal Advertisement

**REQUEST FOR BIDS**

The Newton Housing Authority, New Jersey will accept bids for the following services:

"Masonry Repair & Replacement"

It is the Housing Authority's desire to retain duly qualified, competent, and capable contractors and vendors. All services must be in accordance with the existing laws, rules, orders, directives, and regulations governing these services and supplies.

All persons interested in submitting a proposal for these services should contact the Newton Housing Authority to receive a copy of the formal Request for Bids. The RFB specifies the scope of the services and the requirements for submitting a bid. The RFP is also listed on the Housing Authority's website at: [newtonhousingauthority.com](http://newtonhousingauthority.com)

All proposals must be submitted the office of the Newton Housing Authority, 32 Liberty Street, Newton, New Jersey on or before January 26<sup>th</sup>, 2022, by 10:00 AM.

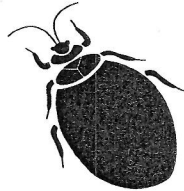
The Housing Authority reserves the right to reject any and all proposals received for these services. It also reserves the right to terminate the vendor, for convenience, at any time during the term of the contract.

WILLIAM F. SNYDER  
Executive Director

# REQUEST FOR PROPOSALS

## *EXTERMINATOR SERVICES*

Due: January 26<sup>th</sup>, 2022 by 10:00 AM



NEWTON HOUSING AUTHORITY  
32 LIBERTY STREET  
NEWTON, New Jersey 07860  
(973) 383-5191

## REQUEST FOR PROPOSALS

The Newton Housing Authority, New Jersey will accept proposals for exterminating services. The services will be for a two-year period. It is the Housing Authority's desire to retain and employ a duly qualified, licensed exterminator. All services must be in accordance with the existing laws, rules, orders, directives and regulations governing these services.

The services that are requested will be as follows and will encompass Liberty Towers (80 units and common areas:

1) Exterminate each of the Housing Authority's apartments, for insects, on a monthly basis (80 Units) at Liberty Towers, 32 Liberty Street, Newton, New Jersey. All Chemicals must be safe and non-toxic to the elderly residents and their pets.

2) Exterminate all common areas, compactor closets, utility rooms, offices, community rooms, kitchens, stairwells, corridors, elevator machines rooms, mechanical rooms and garbage compactor chutes and rooms. Must exterminate the exterior perimeter of each building for ants, during the spring of each year.

3) Provide a written schedule for each year, in advance, indicating the times and dates that the services will be performed for posting at each building and distribution to all tenants.

4) Provide rodent control services and exterminate where evidence of rodent infestation exists.

5) Must ensure that insect and rodent infestations do not occur. Where evidence of an infestation occurs, the problem must be addressed within 24 hours of being notified of the problem.



6) Must inspect for bedbugs on a monthly basis. Evidence of bedbugs must be immediately reported to management and treated. A follow-up report must be provided to management confirming that the problem has been eliminated.

7) Must inform the Housing Authority, in writing, about tenants whose living conditions may be contributing to a potential infestation problem.

Qualifications:

- 1) Must be licensed by all applicable entities governing these services in the State of New Jersey.
- 2) Should have previous experience in exterminating large housing complexes.
- 3) Should have good communication skills.
- 4) Must be an approvable by the U.S. Department of Housing and Urban Development to provide these services.

Proposal Submission:

All persons interested in submitting a proposal for the Housing Authority's exterminating services should submit a price based upon a per unit cost. The proposal must include the following:

- 1) Per unit Cost.
- 2) Cost for Common area exterminatong
- 2) Cost for building perimeter ant control.
- 3) Cost for bedbug treatment
- 4) Copy of the vendor's insurance certificate.
- 5) Listing of references and current customers.
- 6) Manufacturer's specification sheet indicating the proposed

chemicals to be used.

5) Copies of all relevant licenses and chemical permits.

8) NJ Business Registration Form

Proposals should be delivered to the Newton Housing Authority, 32 Liberty Street, Newton, New Jersey on or before Wednesday, January 26<sup>th</sup>, 2022, by 10:00 AM. The buildings are available for inspection between the hours of 8:30 AM to 4:00 PM, Monday to Friday.

The Housing Authority reserves the right to reject any and all proposals received for these services. It also reserves the right to terminate the vendor, for convenience, at any time during the term of the contract.

This solicitation is being made as "Fair and Open" in accordance with N.J.S.A. 40A:19A-20.4 et seq.

WILLIAM F. SNYDER  
Interim Executive Director

**PROPOSAL FOR EXTERMINATING SERVICES**

Newton Housing Authority  
32 Liberty Street  
Newton, New Jersey 07860  
(973) 383-5191

Submitted by:

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Price per Unit:  
(Monthly Maintenance)                      \$

Price for Common Areas                      \$

Price for Building perimeter ant control: \$

Price for Bedbug treatment:  
Studio                      \$  
One bdr                      \$

Other Fees                      \$

\*Price Includes all work outlined in the attached Request for Proposals.

Term: 24 Months

Date: \_\_\_\_\_

\_\_\_\_\_  
Contractor's Signature

The Housing Authority reserves the right to reject any and all proposals received in response to its R.F.P. The proposal must contain all the attachments as stated in the "Proposal Submission" section of the R.F.P.

Legal Advertisement

**REQUEST FOR BIDS/PROPOSALS**

The Newton Housing Authority, 32 Liberty Street, Newton, New Jersey will accept proposals for the following services:

Exterminating

It is the Housing Authority's desire to retain a duly qualified, competent and capable vendor to maintain perform exterminating services. All services must be in accordance with the existing laws, rules, orders, directives and regulations governing these services and supplies.

All persons interested in submitting a proposal for these services should contact the Newton Housing Authority in order to receive a copy of the formal Request for Proposals. The RFP specifies the scope of the services and the requirements for submitting proposals. The RFP is also posted on the Housing Authority's website at: [Newtonhousingauthority.com](http://Newtonhousingauthority.com)

All proposals must be submitted to the office of the Newton Housing Authority 32 Liberty Street, Newton, New Jersey on or before Wednesday, January 26th, 2022, by 10:00 AM. The building is available for inspection between the hours of 11:00 AM to 4:00 PM, Monday to Friday.

The Housing Authority reserves the right to reject any and all proposals received for this work. It also reserves the right to terminate the vendor, for convenience, at any time during the term of the contract.

This solicitation is being made as "Fair and Open" in accordance with N.J.S.A. 40A:19A-20.4 et seq.

WILLIAM F. SNYDER  
Executive Director

## Newton Housing Authority– No Smoking Statement for Website

Liberty Towers, a property of the Newton Housing Authority has a no smoking policy in accordance with the rules and regulations implemented by the U.S. Department of Housing and Human Services (HUD) effective July 31, 2018. According to the Surgeon General, there is no safe level of exposure to secondhand smoke. Additionally, third hand smoke, the toxins from tobacco smoke that stick to soft surfaces such as carpets, curtains and clothing pose a continued risk to people exposed to these toxins. In a multi-unit housing setting, secondhand smoke can drift from one unit to another through windows, doorways, and vents. A smoke-free housing policy protects everyone's health but also reduces the risk of fire and lowers building upkeep and cleaning costs.

Liberty Towers is a smoke-free building. There is no smoking permitted anywhere inside the building including individual dwelling units of residents, lobby, hallways and other common rooms and spaces in the building. The no smoking policy allows for a designated smoking area that shall be twenty-five feet from the building, and its entryways. This policy prohibits smoking which includes the inhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic and electronic smoking devices and is in compliance with the HUD ruling effective July 31, 2018 and the NJ Smoke Free Air Act N.J.S.A. 26:3 D-55. This policy applies to all residents and employees as well as guests and vendors visiting the building. Those seeking free tobacco cessation can call the **NJ Quitline at 1-866-NJ-STOPS** or visit **tobaccofreenj.com** for other free cessation resources.

# NO SMOKING LEASE ADDENDUM

Date: \_\_\_\_\_

Unit #: \_\_\_\_\_

Head of Household: \_\_\_\_\_

1. No Smoking Policy – In compliance with the 2018 HUD Smoke Free Housing Ruling the [NEWTON HOUSING AUTHORITY] is adapting the following No-Smoking Policy, which prohibits smoking in any interior common areas, including but not limited to community rooms, community bathrooms, lobbies, hallways, laundry rooms, stairways, offices, and elevators, within all living units, and within 25 feet of buildings including entryways, porches, balconies and patios. This policy applies to all residents, guests, visitors, services personnel and employees. Tenant is responsible for notifying any visitors or guests of this policy.
  
2. Definitions & Exceptions
  - a. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. “Smoking” also includes the use of an electronic smoking device.
  - b. Sacred use exception: “Smoking” does not include the use of traditional tobacco as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice. [www.keepitsacred.org](http://www.keepitsacred.org).
  - c. “Dwelling Unit”
  - d. “Landlord”
  - e. “Tenant”
  - f. “Premises”
  - g. “Evidence of Smoking”
  
3. The [NEWTON HOUSING AUTHORITY] is not a guarantor of smoke free Environment – Resident acknowledges that the [NEWTON HOUSING AUTHORITY]’s adoption of a No-Smoking policy, will not make the [NEWTON HOUSING AUTHORITY] the guarantor of Resident’s health or of the smoke free condition of the non-smoking portions of the property. However, the [NEWTON HOUSING AUTHORITY] will take reasonable steps to

6. Lease Violation – Residents are responsible for the actions of their household, their guests and visitors. Failure to adhere to any conditions of the Addendum will constitute both a material non-compliance with the lease agreement and a serious violation of the Lease Agreement. In addition, resident will be responsible for all costs to remove smoke odor or residue upon any violation of this Addendum.

\_\_\_\_\_  
Signature Head of Houshold                      Date

\_\_\_\_\_  
Signature of Houshold Member                      Date

\_\_\_\_\_  
Signature of Houshold Member                      Date

\_\_\_\_\_  
Signature of Management Staff                      Date



# Tobacco-Free

FOR A HEALTHY NEW JERSEY

[Smoke-Free Housing Policies and Overcoming Barriers to Implementation: On-the-Ground Strategies \(hud.gov\)](#)

[How to use this template \(publichealthlawcenter.org\)](#)

[Home - American Nonsmokers' Rights Foundation | no-smoke.org](#)

- Upon Leasing or re-leasing
  - Each resident signs a copy of the Smoke Free Policy (also known as a lease addendum) which states: “TENANT CERTIFICATION I have read and understand the above smoking policy and I agree to comply fully with the provisions. I understand that failure to comply may constitute reason for termination of my lease.”
  - This should also include a copy of the Enforcement Policy for their review.
- Ways to approach enforcement - Have a Multi-Step Enforcement Framework with **Eviction being the final option only to be used in a worst-case scenario.**
  - Providing options to Eliminate the unacceptable behavior (Cessation Programs)
    - Nearby Hospital provides for free
  - Educating the residents
    - Available through Elise and Meg
  - Site Managers issuing verbal then written warnings
    - We (Elise and Meg) can provide models and workshop with you to have standard warnings ready for use by any staff member.
  - Smoke Free Enforcement, A 3-Step Model
    - First Violation – Written Warning and Reminder of Policy
    - Second Violation – Written and Mailed Warning
    - Third Violation – Lease Violation and Termination
  - Smoke Free Enforcement, A 5-step Initial Enforcement Policy:





# Tobacco-Free

## FOR A HEALTHY NEW JERSEY

- 1st Complaint: Manager visits unit and provides copy of policy
- 2nd Complaint: Manager delivers written copy of complaint
- 3rd Complaint: Manager sends written copy of complaint with added requirement for private conference for subsequent complaints
- 4th Complaint: Private conference with resident and written agreement to comply
- 5th Complaint: Manager consults legal regarding fines or further enforcement action This go-slow process was meant to emphasize that BHA housing is smoke-free, not smoker-free and provide residents with ample opportunity to comply.
- Ensure there is validity to any and all complaints and Document EVERYTHING
  - Documentation is key to ensure fair and equitable treatment for tenants, and legal coverage for the housing authority.
    - Evidence: An investigation of any claims should be held to confirm the complaint before any penalty or action is taken against the accused tenant to ensure fairness to all involved residents.
    - Witnesses **Need MULTIPLE persons reporting, or a piece of corroborating evidence see \*'d items**
    - Written Reports **Need MULTIPLE persons reporting, or a piece of corroborating evidence see \*'d items**
    - \*Photos
    - \*Admissions of Guilt
    - \*Physical proof (butts or ashes in or around apartment, burns, smoke stains etc.)
- Implementing or updating policy and tenants: Compliance-Focused Enforcement
  - Education prior to and throughout implementation (community buy-in)
  - Clear communication of the policy and signage (self-enforcing)
  - Graduated enforcement (opportunity to remedy)
  - Cessation resources (opportunities to manage cravings, reduce use, or quit
    - Tobacco or Nicotine products are addictive, addiction is difficult to overcome and tenants will likely need repeated cessation attempts to do.



# Tobacco-Free

## FOR A HEALTHY NEW JERSEY

- Evolving Approach to Enforcement with considerations for equity
  - Treat smoking violations as any other lease violation.
  - The first **credible** complaint will result in a private conference or communication.
  - Management will require the resident to sign an agreement not to violate the policy again or face fines or eviction.
  - Include consent to inspections as part of the agreement.
  - Explore unintended consequences
  - Enforcement by housing inspections or health department, not police
  - Goal is compliance— – Not eviction or steep fines for residents, not purely punitive criminal penalties – Notice, warning, graduated enforcement – Support access to cessation

- Graduated Enforcement Models - Sample Language

### Section 8. Violation Enforcement

- a) The first violation shall result in a verbal warning and reminder of the smoke-free policy.
- b) The second violation shall result in a verbal warning and provision of smoking cessation resources and materials.
- c) The third violation shall result in a written warning and provision of smoking cessation resources and materials.
- d) The fourth violation shall result in a notice to vacate with an option to remedy/cure, and provision of smoking cessation resources and materials.
- e) The fifth violation may result in a 10-day notice to vacate without the option to remedy or cure.

- Violation of the smoke-free policy shall be enforced accordingly:

- a) The first violation shall result in a verbal warning and reminder of the smoke-free policy.
- b) The second violation shall result in a written warning and provision of smoking cessation resources and materials.
- c) The third and subsequent violations may result in fines or other penalties used by the association for violations of other use restrictions, and provision of smoking cessation resources and materials.

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# Tobacco-Free

FOR A HEALTHY NEW JERSEY

- Cessation Resources

- State Quitlines: – All states have quitlines with counselors who are trained specifically to help smokers quit. Call this number to connect directly to your state’s quitline (hours of operation and services vary from state to state): 800-QUIT-NOW (784-8669).
  - NJ Quitline: 1-866-NJ-STOPS (1-866-657-8677)
- Vape line for 13-24 text VapeFreeNJ to 88709
- The Centers for Disease Control and Prevention website provides information on quitlines, apps, texting support, developing a quit plan, and much more. (<https://www.cdc.gov/tobacco/campaign/tips/quit-smoking/index.html>)



# Tobacco-Free

FOR A HEALTHY NEW JERSEY

Model Anonymous Complaint

I have noticed:

The Scent of Smoke      Visual of Smoke      Ashtrays with Ash in them

A fellow Tennant Smoking/Vaping      A Visitor Smoking/Vaping

Cigarette Butts or Other Tobacco Product Trash

Other \_\_\_\_\_

The Location this happened on the Property was:

\_\_\_\_\_

The Date this happened or was noticed was:

\_\_\_\_\_

The tenant's name & or associated apartment number is:

\_\_\_\_\_

Write your name if you would like us to follow up with you or circle the "anonymous" option below.

\_\_\_\_\_

I would like to remain anonymous