

NEWTON HOUSING AUTHORITY

AGENDA

Regular Meeting

Date: Monday, February 9, 2026

Time: 5:15 PM

Location: 32 Liberty Street, Newton, NJ

1. CALL TO ORDER

2. ROLL CALL

		Term of Office
Chairperson:	Richard Bitondo	5/1/24-4/30/29
Vice-Chairman:	Karen Crossley	5/1/22-4/30/27
Commissioners:	Mary Ann Carlson	5/1/24-4/30/29
	Mark Fiedorczyk	5/1/25-4/30/30
	Wendy Vandermaas	5/1/23-4/30/28

3. Flag Salute

4. ANNOUNCEMENT OF OPEN PUBLIC 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 New Jersey Herald and Star Ledger on December 3, 2025. The New Jersey Open Public Meeting Law was enacted to ensure the right of the public to have advance notice 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.

All members of the public should be cognizant of the rights and feelings of any individual they feel compelled to discuss at an open public meeting. General comments and statements should be made in a calm and civil manner. Comments that violate the rights of employees, residents or members of the public could be subject to a civil lawsuit for damages. The individual making such statements will be personally liable for any monetary damage resulting from their statements.

5. COMMITTEE REPORTS

5.1 Executive Director's Reports & Discussion

6. PUBLIC COMMENTS-Agenda Items

7. APPROVAL OF THE MINUTES:

7.1 January 12, 2026 Meeting

8. OLD BUSINESS

9. NEW BUSINESS

10. RESOLUTIONS

**RESOLUTION #2026-2-1
(Approval of Bill List for February 2026 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:

1. That the attached list of bills for February 2026 meeting in the amount of \$78,730.05 be approved for payment.
2. That the proper officers of the Authority be authorized to pay for all items on the list of invoices.
3. That this Resolution shall take effect immediately.

**RESOLUTION #2026-2-2
(Approval of Contract for Drain Cleaning)**

WHEREAS, the Newton Housing Authority has a need for drain cleaning services, at Liberty Towers, as a preventative maintenance measure; and

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

WHEREAS, Liberty Towers needs the waste lines cleaned on a scheduled basis to avoid sewer backups into units and common areas; and

WHEREAS, the Housing Authority formally advertised for proposals for the drain cleaning services and received two (2) proposals for this work; and

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

BE IT RESOLVED by the Board of Commissioners of the Newton Housing Authority that a contract for drain cleaning service be awarded to:

Sussex Sewer Service
(Roto Rooter)
1 Littell Road
East Hanover, NJ 07936

In the following amounts:

Price for 22 kitchen/basin vents:	\$3,630.00
Price for 13 sewer vent stacks:	\$3,055.00
Price for main sewer line:	\$4,850.00

**RESOLUTION #2026-2-3
Adopting Cash Management Plan**

WHEREAS, it is in the best interest of the Newton Housing Authority to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983, is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS, this law requires that each local unit shall adopt a cash management plan,

NOW, THEREFORE, BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the Newton Housing Authority, and the Executive Director shall deposit and manage its funds pursuant to this plan:

Definitions

1. Executive Director shall mean the Executive Director of the Newton Housing Authority
2. Fiscal Year shall mean the twelve-month period ending December 31st.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Newton Housing Authority in accordance with N.J.S.A. 40A:5-14. The Newton Housing Authority designates the Provident Bank and other Government Unit Deposit Protection Act (GUDPA) approved banking institutions.

Audit Requirement

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

Authority to Invest

1. The Board of Commissioners shall pass a resolution designating the official who shall make and be responsible for municipal deposits and investments. The Executive Director of the Newton Housing Authority is so authorized.

Investment Instruments

1. The Executive Director shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1.

Records and Reports

1. The Executive Director shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
2. At a minimum, the Executive Director shall:
 - a. Keep a record of all investments for auditing purposes.
 - b. Keep a cash position record which reveals, on a daily basis, the status of the cash in its bank account.
 - c. Report quarterly to the Board of Commissioners a financial report indicating the Housing Authority's financial position.

Cash Flow

1. The Executive Director shall ensure that the accounting system provides regular information concerning the cash position and performance.
2. All monies shall be turned over to the Executive Director and deposited in accordance with N.J.S.A. 40A:5-15.
3. The Executive Director is authorized and directed to invest surplus funds of the Newton Housing Authority as the availability of the funds permit. In addition, it shall be the responsibility of the Executive Director to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Newton Housing Authority.
4. The Executive Director shall ensure that funds are borrowed for Capital Projects in a timely fashion.

Signatories

The signatories of the Housing Authority shall be Chairperson, Vice Chairperson, designated Commissioners and Executive Director. Transactions must be supported by at least two of the aforementioned officials.

RESOLUTION #2026-2-4
RESOLUTION AUTHORIZING A POLICY RESPECTING REIMBURSEMENT OF
AUTHORITY COMMISSIONER/ EMPLOYEES FOR COSTS OF DEFENDING
AGAINST CRIMINAL CHARGES

WHEREAS, it is deemed to be in the best interest of the Authority to adopt a uniform policy respecting the reimbursement of Authority Commissioners/employees for the costs of defending against civil criminal charges; NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE NEWTON HOUSING AUTHORITY:

1. That the Newton Housing Authority shall reimburse any Commissioner/employee for the actual reasonable legal costs of successfully defending against criminal charges where such charges result from the performance of the Commissioner's/employee's duties and the Commissioner/employee is deemed to have acted in good faith.
2. That the Newton Housing Authority shall reimburse any Commissioner/employee for the actual reasonable legal costs of successfully defending against civil suits where such suit results from the performance of the Commissioner's/employee's duties and the Commissioner/employee is deemed to have acted in good faith.
3. That the Newton Housing Authority shall pay for all legal expenses as incurred in the event the General Counsel advises the Authority that the Commissioner/employee in all likelihood will be found to have acted in good faith.
4. That this Resolution shall take effect immediately.

RESOLUTION #2026-2-5
RESOLUTION INDEMNIFYING COMMISSIONERS
AND EMPLOYEES CONSISTENT WITH N.J.S.A. 59:10-4

WHEREAS, N.J.S.A. 59:10-4 empowers the Board of Commissioners of the Newton Housing Authority to indemnify its commissioners & employees; and

WHEREAS, it is deemed to be in the best interest of the Authority to indemnify the Commissioners and employees while acting within the scope of their duties; NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE NEWTON HOUSING AUTHORITY:

1. It is deemed in the best interest of the Authority to indemnify the Commissioners and employees while acting within the scope of their duties.
2. For the purpose of this Resolution, unless the context clearly indicates a different meaning, the following words and phrases shall have the meaning set forth:

- INSURANCE – Coverage afforded by insurance policies of every kind whether the premiums be paid by the Authority, the employee or someone on his/her behalf.

- COMMISSIONER/ EMPLOYEE – Any employee or Commissioner, appointed to or hired by the Authority whether, full part-time or contracted.

3. The Authority shall reimburse a Commissioner/employee for all reasonable expenses incurred, specifically court costs and all monetary judgments imposed upon him/her in any action or legal proceeding of a noncriminal nature arising out of or incidental to the performance of the duties of the position or the office held by such employee. The Authority shall indemnify an employee for exemplary or punitive damages resulting from the employee's civil violation of state and/ or federal law if the acts committed by the employee upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or intentional wrong.

4 The Authority shall not be obligated to provide reimbursement in the following instances:

- Where the legal proceeding involved a claim or misfeasance or malfeasance in office or a claim of fraud, theft or misappropriation of public funds and the Commissioner/employee is found liable for the charge.

- Where the legal proceeding is instigated or brought by the Newton Housing Authority.

The amount the Authority is obligated to reimburse the Commissioner/employee shall be reduced by an insurance coverage payable to the Commissioner/employee by the net amount (recovery cost) of any money received by the Commissioner/employee in any counteraction against the person or persons bringing the action against him/her.

5. A Commissioner/employee shall not be entitled to indemnification or reimbursement pursuant to this chapter unless, within ten (10) calendar days of the time he/she is served with any summons, complaint, process, notice, demand or pleading, he/she delivers the original or a copy thereof to the Executive Director and Board of Commissioners. The Commissioner/employee shall be obligated to cooperate with the Authority in the conduct of his/her defense. Whenever competent and disinterested legal counsel is available to the Authority through any insurance coverage, the Commissioner/employee shall be obligated to be represented by such counsel. If the Authority wishes to use the General Counsel of the Authority to defend the action, the Commissioner/employee shall be obligated to be represented by that attorney unless there is a conflict of interest. The refusal of the Commissioner/employee to cooperate with the Authority shall terminate the Authority's obligation to reimburse the Commissioner/employee.

6. If the legal proceeding is terminated by an agreement among the parties, then the Housing Authority shall not be obligated to reimburse the Commissioner/employee unless the Authority approves the settlement agreement.

7. The Authority may reimburse a Commissioner/employee for a portion of the expense incurred prior to a final decision in a legal proceeding, but the Authority shall be entitled to wait for a final determination before being obligated to make any final payments.

8. That this Resolution shall take effect immediately.

11.PUBLIC COMMENTS-General Items

12.EXECUTIVE SESSION (if necessary)

13. ADJOURNMENT

Attachments:

- 1) 1/12/26 Meeting Minutes**
- 2) February Bill List**
- 3) Report from the Executive Director**
- 4) Drain Cleaning Tabulation**
- 5) "Draft" Community Room Policy**