



AGENDA
NEWTON TOWN COUNCIL
SPECIAL MEETING
Small Cities Block Grant Application
August 26, 2019
6:00 p.m.

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. OPEN PUBLIC MEETINGS ACT STATEMENT**
- IV. OPEN TO THE PUBLIC**

At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to take one turn at the microphone and please limit their comments to 5 minutes. The Clerk will keep time. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes. Council may choose to comment after the entire public portion has concluded.

- V. CONSENT AGENDA**

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.

- a.** Resolution #186-2019* Approval of Grant Management Plan for Small Cities Grant for a Public Facilities Project to Construct Sidewalks on Mill Street to Provide Pedestrian Facilities for Low Income Residents of the Town of Newton, Sussex County, New Jersey
 - b.** Resolution #187-2019* Resolution of Fair Housing – Statement of Actions
 - c.** Resolution #188-2019* Approval to Submit an Application for a Small Cities Grant for a Public Facilities Fund Project to Construct a Sidewalk Along Mill Street to Benefit Town Residents of Low Incomes
 - d.** Resolution #189-2019* Small Cities Participation Plan

- VI. ADJOURNMENT**



TOWN OF NEWTON

RESOLUTION #186-2019

August 26, 2019

“Approval of Grant Management Plan for Small Cities Grant for a Public Facilities Fund Project to Construct Sidewalks on Mill Street to Provide Pedestrian Facilities for Low Income Residents of the Town of Newton, Sussex County, New Jersey”

WHEREAS, the Town Council of the Town of Newton (Council) has been notified of the State Fiscal Year 2020 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes \$4,517,428 of funding toward a Public Facilities Fund category and the Town of Newton's desire to apply for \$400,000 in funding to construct a sidewalk along Mill Street to benefit residents of low and moderate incomes; and

WHEREAS, the Council has successfully applied for Small Cities CDBG funding in the past; and

WHEREAS, the Council desires to apply for a grant for \$400,000; and

WHEREAS, the Council recognizes a Grant Management Plan must be adopted in order to properly identify the responsible parties for overseeing and implementing the grant; and

WHEREAS, the Council has reviewed the Grant Management Plan submitted for the Mill Street Sidewalk Construction Project;

NOW THEREFORE BE IT RESOLVED that the Mayor and Town Council approve of the above-referenced Grant Management Plan; and

BE IT FURTHER RESOLVED that copies of this Resolution and the attached application shall be provided to the Town of Newton, c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; Terence Schrider, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Sussex County Division of Planning.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a special meeting of said Governing Body conducted on Monday, August 26, 2019.

Teresa A. Oswin, RMC
Deputy Municipal Clerk

2020 Grant Management Plan: Town of Newton Mill Street Sidewalk Construction Project

Public Facilities Fund Project

Project Director: Thomas S. Russo, Jr., Town Manager

Town of Newton, 39 Trinity Street, Newton New Jersey, 07860

Phone: 973-383-3521 ext. 224; Fax: 973-383-8961; e-mail: trusso@newtontownhall.com

- Supervise all grant activities and certify accuracy of quarterly fiscal and program progress reports.
- Create and maintain an environmental review record file and manage the environmental review process.
- Coordinate the Citizen Participation Plan, including issuing public notice for public hearings, conducting a progress hearing, attending all meetings, keeping minutes and hand-outs of meetings, and managing correspondence and information requests.
- Act as fair housing coordinator, issue public notice for fair housing counseling, draft letter to HUD and NJ Dept. of Law and Public Safety and manage information requests concerning fair housing.
- Manage equal employment opportunity requirements, fair labor standards and civil rights issues.
- Maintain program and grant agreement records, contracts, reports and files, as required by law.

Project Coordinator: Jessica Caldwell, Professional Planner

J. Caldwell & Associates, LLC, 145 Spring Street, Suite E, Newton, NJ 07860

Phone: 973-300-5060; Fax: 973-440-2179; e-mail: jcaldwell@jcaldwellassociates.com

- Manage compliance files for citizen participation, fair housing, construction progress, correspondence and records for contractor, including monthly reporting, payment requests and correspondence. Ensure compliance with labor standards.
- Administer day-to-day operation of the project, including serving as liaison with Small Cities Program, monitoring rehabilitation and contractor progress, reviewing and processing work change orders, and preparing monthly reports and payment requests to NJDCA.
- Prepare public notice for public performance hearing in conjunction with project director, ensure compliance with mid and final monitoring visits, prepare and submit the final monthly report and payment requests, and the final program performance report to NJDCA for review and approval. Verify all work is complete to the satisfaction of the grantee.

Fiscal Administrator: Dawn Babcock, Chief Financial Officer

Town of Newton, 39 Trinity Street, Newton New Jersey, 07860

Phone: 973-383-3521 ext. 241; Fax: 973-383-8961; e-mail: dbabcock@newtontownhall.com

- Responsible for fiscal administration of the grant and will maintain records of such at Town of Newton.

Staff Assistant: Kimberly Williams, Community Development Director
Town of Newton, 39 Trinity Street, Newton New Jersey, 07860
Phone: 973-383-3521 ext. 234; Fax: 973-383-8961; e-mail: kwilliams@newtontownhall.com
Provide information and coordination on the project as needed; provide staff as needed for access and coordination with construction; oversee development and review of bids; conduct bidding process for professionals; assist in construction monitoring and coordination with contractors.

Engineer/Inspector: Cory Stoner, P.E., C.M.E., Town Engineer's Office
Harold E. Pellow & Associates, Inc., 17 Plains Road, Augusta NJ 07822
Phone: 973-948-6463 ext. 213; Fax: 973-948-2916; e-mail: cstoner@hpellow.com

- Oversee bidding process for contractors.
- Complete engineering plans, bid documents, and other engineering related information, as needed.
- Manage construction progress, correspondence and records for contractors, including monthly reporting to grant administrator, submit payments requests and correspondence on behalf of the project.
- Assist in compliance with labor standards.
- Assist construction time management schedule.
- Monitor and inspect work by contractors.

Estimated time:

Thomas S. Russo, Jr.: Project Director: 2 hours per month
Jessica Caldwell: Project Coordinator: 10 hours per month
Dawn Babcock: Project Finance Officer: 2 hours per month
Cory Stoner: Town Engineer: 10 hours per month (average)
Kimberly Williams: 2 hours per month



TOWN OF NEWTON
RESOLUTION #187-2019

August 26, 2019

“Resolution of Fair Housing – Statement of Actions”

WHEREAS, the Town of Newton has made an application for Grant #2020-02292-0193 with the New Jersey Department of Community Affairs (hereafter NJDCA) for the construction of sidewalks along Mill Street to provide pedestrian facilities for low income individuals within the Town; and

WHEREAS, the Town of Newton must make efforts to affirmatively further fair housing; and

WHEREAS, the Town of Newton has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD); and

WHEREAS, the Town of Newton has made assurances that:

- 1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- 2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto; and
- 3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- 4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that Thomas S. Russo, Jr., Town Manager, shall be designated as the Fair Housing Officer for the Town of Newton; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Town of Newton; and

BE IT FURTHER RESOLVED that the Town of Newton will publish in the local newspaper of record and post at the municipal hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a special meeting of said Governing Body conducted on Monday, August 26, 2019.

Teresa A. Oswin, RMC
Deputy Municipal Clerk

Mayor
Helen R. Le Frois

Deputy Mayor
Daniel G. Flynn

Council Members
Sandra Lee Diglio
Jason J. Schlaffer
Matthew S. Dickson



Town Manager
Thomas S. Russo, Jr.

Town Clerk
Lorraine A. Read

Telephone: (973) 383-3521
Facsimile: (973) 383-8961
39 Trinity Street
Newton, NJ 07860

August 26, 2019

U.S. Department of Housing & Urban Development
Fair Housing and Equal Opportunity Division
New Jersey State Office
One Newark Center
Newark, New Jersey 07102

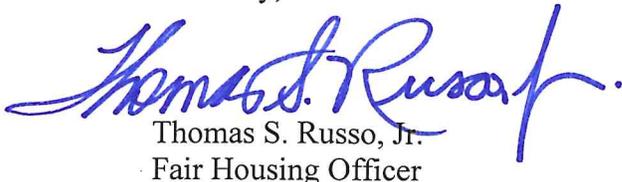
RE: Small Cities Grant Application – Mill Street Sidewalk Construction Project

Dear Sir or Madam:

I have been appointed Fair Housing Officer by the Town of Newton, Sussex County, New Jersey. My responsibilities in this position include counseling individuals with fair housing questions and/or problems publicizing fair housing laws and remedies to the public.

I would appreciate any information you may have regarding fair housing including pamphlets, newsletters, conference and training workshop schedules to use in our program. I would also like to request information on referring complainants and how your complaint process operates. Thank you for your cooperation in helping us implement an effective fair housing program.

Sincerely,


Thomas S. Russo, Jr.
Fair Housing Officer

Mayor
Helen R. Le Frois

Deputy Mayor
Daniel G. Flynn

Council Members
Sandra Lee Diglio
Jason J. Schlaffer
Matthew S. Dickson



Town Manager
Thomas S. Russo, Jr.

Town Clerk
Lorraine A. Read

Telephone: (973) 383-3521

Facsimile: (973) 383-8961

39 Trinity Street
Newton, NJ 07860

August 26, 2019

New Jersey Department of Law and Public Safety
Division on Civil Rights
100 Hamilton Plaza, 8th Floor
Paterson, NJ 07505-2109

RE: Small Cities Grant Application – Mill Street Sidewalk Construction Project

Dear Sir or Madam:

I have been appointed Fair Housing Officer by the Town of Newton, Sussex County, New Jersey. My responsibilities in this position include counseling individuals with fair housing questions and/or problems publicizing fair housing laws and remedies to the public.

I would appreciate any information you may have regarding fair housing including pamphlets, newsletters, conference and training workshop schedules to use in our program. I would also like to request information on referring complainants and how your complaint process operates. Thank you for your cooperation in helping us implement an effective fair housing program.

Sincerely,

Thomas S. Russo, Jr.
Fair Housing Officer

**Notice to Residents of the Town of Newton
Fair Housing Program**

This notice will serve to advise all Newton Town residents that the following actions, if based on race, color, creed, religion, ancestry, sex, national origin, handicap or disability, or familial status (families with children) are considered discriminatory:

Refusing to sell or rent to, deal or negotiate with any person.

Discriminating on terms or conditions for buying or renting housing.

Discriminating by advertising that housing is available only to persons of a certain race, color, religion, sex, national origin, familial status or handicap.

Blockbusting for profit, persuading owners to sell or rent housing by telling them that minority groups are moving into neighborhood.

Denying that housing is available for inspection, sale or rent when it really is.

Denying or making different terms or conditions for home loans by financing institutions.

Denying anyone the use of or participation in any real estate services, multiple listing facilities or other facilities related to buying or renting of housing.

Complaints

All residents are hereby notified that Thomas S. Russo, Jr. is designated as Fair Housing Officer for Newton Town. Any resident that believes that he or she has been discriminated against under any of the above conditions may file a complaint with the Fair Housing Officer at the appropriate address:

Town of Newton
Town Hall
39 Trinity Street
Newton, NJ 07860

Thomas S. Russo, Jr., Fair Housing Officer
973-383-3521 – Phone
973-383-8961 – FAX

BY ORDER OF THE TOWN COUNCIL OF THE TOWN OF NEWTON

Teresa A. Oswin, RMC
Deputy Municipal Clerk
Town Council
Town of Newton



TOWN OF NEWTON

RESOLUTION #188-2019

August 26, 2019

“Approval to Submit an Application for a Small Cities Grant for a Public Facilities Fund Project to Construct a Sidewalk Along Mill Street to Benefit Town Residents of Low Incomes”

WHEREAS, the Town Council of the Town of Newton (Council) has been notified of the State Fiscal Year 2020 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes \$4,517,428 of funding toward a Public Facilities Fund category and the Town of Newton's desire to apply for \$400,000 in funding to construct a sidewalk along Mill Street to benefit residents with low incomes in Newton Town; and

WHEREAS, the Council has successfully applied for Small Cities CDBG funding in the past; and

WHEREAS, the Council desires to apply for a grant for \$400,000; and

WHEREAS, the Council recognizes and accepts the Small Cities Program may offer a lesser amount of grant funding and therefore, upon receipt of the Grant Agreement from the State Department of Community Affairs, and any amendments thereto, does further authorize the execution of any such Grant Agreement; and also, upon receipt of the fully executed Agreement from the Small Cities Program, does further authorize the expenditure of funds pursuant to the terms of the Agreement; and

WHEREAS, in order to make application and undertake all other required elements of submission, a Resolution must be adopted by the Council authorizing the application and any amendments thereto and the authority to construct the sidewalk as previously described and all other aspects of the grant administration; and

WHEREAS, the construction of sidewalk along Mill Street will benefit low and moderate income persons in Census Block Group 1, Census Tract 3737, Newton Town, which is comprised of 66.67% low and moderate income persons, all of whom will benefit from sidewalk construction along the main thoroughfare in this Census Block Group and Tract, and therefore this project is deemed in the best interest of the Town and the low and moderate income residents of this area;

NOW THEREFORE BE IT RESOLVED that the Mayor, Town Manager, and Town Clerk are authorized to sign all required elements of the proposed application to construct a sidewalk along Mill Street and apply for a grant in the amount \$400,000 to execute the same; and

BE IT FURTHER RESOLVED that the attached application is submitted to the New Jersey Department of Community Affairs' Small Cities Program in accordance with the regulations promulgated by the US Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED that copies of this Resolution and the attached application shall be provided to the Town of Newton, c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; and Terence Schrider, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Town of Newton Manager's Office.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a special meeting of said Governing Body conducted on Monday, August 26, 2019.

Teresa A. Oswin, RMC
Deputy Municipal Clerk



TOWN OF NEWTON

RESOLUTION #189-2019

August 26, 2019

“Small Cities Participation Plan”

WHEREAS, the Town of Newton is applying for a grant with the New Jersey Department of Community Affairs; and

WHEREAS, that Grant Agreement requires the Town of Newton to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the Town of Newton has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, Sussex County, State of New Jersey, that the Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Newton; and

BE IT FURTHER RESOLVED that the Town of Newton will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be provided to New Jersey Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ 08625-0811.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a special meeting of said Governing Body conducted on Monday, August 26, 2019.

Teresa A. Oswin, RMC
Deputy Municipal Clerk

SMALL CITIES PROGRAM
CITIZEN PARTICIPATION PLAN

I. Purpose

The federal Housing and Community Development Act of 1974, as amended, requires that all recipients of Small Cities funds certify that they are following a detailed Citizen Participation Plan (CPP). By choosing to participate in this program, the State of New Jersey has certified that it will comply with the law by preparing a CPP that identifies those tasks that units of local government receiving Small Cities funds must perform.

It is the State's responsibility to assist participating units of local government in complying with the law and in documenting such compliance. It is the responsibility of all grantees to certify to the State that they will manage their Small Cities program in accordance with the State's CPP. Grantees will provide documentation demonstrating such compliance.

In the following sections, basic requirements of the law will be presented and methods of satisfying these requirements discussed. Please read this material carefully and thoroughly. If you have any questions, contact your Small Cities Program Representative. It is essential that each grantee complies with these requirements, since no Small Cities funds will be disbursed until compliance is certified by the grantee and approved by the Department.

II. Statutory Requirements

Each recipient of Small Cities Community Development Block Grant (CDBG) funds must certify that it is following a detailed Citizen Participation Plan that --

- (A) encourages citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of areas in which CDBG Funds are proposed to be used, and in the case of a grantee described in Section 106(a) of the Act, provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
- (B) provides citizens with reasonable and timely access to local meetings, information, and records relating the grantee's proposed and actual use of funds under this program;
- (C) provides for technical assistance to groups representative of persons of low and moderate income who request assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- (D) provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program including at least the development of needs, the review of proposed activities, and review of program performance. Hearings shall be held after adequate notice at times and locations convenient to potential or actual beneficiaries and with accommodation for the handicapped;
- (E) provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
- (F) identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

The provision and implementation of a CPP may not be construed to restrict the responsibility or authority of the grantee for the development and execution of its community development program.

All grantees must adopt the CPP and provide documentation of compliance throughout the term of the grant agreement. The components of the Plan and the kind of information necessary to document compliance are discussed in the following section.

RESOLUTION RE: SMALL CITIES CITIZEN PARTICIPATION PLAN

Summary: This resolution declares that the Town of Newton has reviewed the Citizen Participation Plan prepared for its Small Cities CBDG grant application and will comply with all federal regulations with respect to citizen participation as required.

