

**Meeting Minutes
Hightstown Borough Council
February 3, 2020
7:00 p.m.**

The meeting was called to order by Mayor Quattrone at 7:01 p.m. and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Cicalese</i>	✓	
<i>Councilmember Jackson</i>		✓
<i>Councilmember Misiura</i>		✓
<i>Councilmember Musing</i>	✓	
<i>Councilmember Stults</i>		✓
<i>Mayor Quattrone</i>	✓	

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk; Debra Sopronyi Borough Clerk/Administrator and Fred Raffetto, Borough Attorney.

EXECUTIVE SESSION

Resolution 2020-042 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing Voted yes.

Resolution adopted 3-0.

Resolution 2020-42

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on February 3, 2020 at the Hightstown Fire House located at 140 North Main Street, Hightstown, that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed:

Contract Negotiations – Housing Authority

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public May 3, 2020, or when the need for confidentiality no longer exists.

The public is excluded from said meeting, and further notice is dispensed with, all in accordance with sections 8 and 4a of the Open Public Meetings Act.

Mayor Quattrone called the public meeting to order at 7:30 p.m. and again read the Open Public Meetings Statement.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Councilmember Cicalese requested that Resolution 2020-049 be removed from the consent agenda and voted on separately.

Moved as amended by Councilmember Cicalese; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing voted yes.

Agenda approved as amended 3-0.

APPROVAL OF MINUTES

January 1, 2020 – Reorganization Meeting

Councilmember Cicalese, requested that Resolution 2020-01 be corrected to read Council President Musing.

Moved as amended by Council President Musing; Seconded by Councilmember Cicalese.

Roll Call Vote: Councilmember Bluth, Cicalese and Musing voted yes.

Minutes approved as amended 3-0.

PRESENTATIONS

Housing Authority 2020 Overview

Keith LePrevost, Executive Director of the Hightstown Housing Authority reviewed the Housing Authority's Annual Report and history. Mr. LePrevost stated that they renovated the rain garden in 2019. The Housing Authority received several awards from environmental agencies because of their stormwater work. At present time, there are 200 residents at the authority. There is currently a 3 – 5 year wait for a unit and there is approximately 200

individuals on the list. Letters are sent twice a year to see if the individuals are still interested. Mr. LePrevost stated that the authority has decided to put the RAD conversion on hold for the time being as it is too expensive to move forward. The authority is always investing in infrastructure. They are currently investigating solar energy. Long time commissioner, Carole Nelson, recently resigned from the authority due to health issues. Mr. LePrevost stated that Council should honor her for her years of service and commitment to the community. Mr. LePrevost stated that the authority has meeting space available for use by the Borough's boards and committees. Please contact the office for accommodations.

Environmental Commission 2020 Overview

Keith LePrevost, Chair of the Environmental Commission, stated that 2019 was a very good year getting a lot accomplished. They are currently working on grants to have over a dozen trees planted. 90 street trees were pruned. The grant for Rocky Brook Park was put on hold. They are hoping to complete that grant this year. They are working with Public Works to come up with stickers and information to educate the public on recycling. They will be trying for 500 points this year for Sustainable Jersey. The sidewalks in Association Park are very dangerous and the Greenway Walking Path has almost disappeared. They are requesting funds in their 2020 capital budget to take care of these two items. The students at the Peddie School would like to come forward to Council with a recycling presentation. Two ordinances will be brought to Council this year; The Tree Ordinance and the Stormwater Ordinance. Goals for 2020 include the planting of 12 new trees; 3 days of tree trimming; working with Hightstown High School on a food waste program; Working with the Harvest Fair Committee on making the Fair Green.

PUBLIC COMMENT I

Mayor Quattrone opened public comment period I and the following individuals spoke:

Eugene Sarafin, 628 South Main Street – Stated that he thinks the 3 minute limit on public comment is stupid. Thinks the Pledge of Allegiance is stupid. Spoke against President Trump. Thinks that the Housing Authority should be renamed after someone who serviced the authority. Thinks the Environmental Commission is doing a fantastic job.

There being no further comments, Mayor Quattrone closed the public comment period.

RESOLUTIONS

Resolution 2020-043 Payment of Bills

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing voted yes.

Resolution adopted 3-0.

Resolution 2020-43

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING PAYMENT OF BILLS

WHEREAS, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator, the appropriate Department Head and the Treasurer in the amount of \$1,158.69 from the following accounts:

Current		\$887,545.98
W/S Operating		21,468.15
General Capital		10,930.43
Water/Sewer Capital		235,727.99
Grant		120.00
Trust		0.00
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>2,566.14</u>
Total		<u><u>\$1,158,358.69</u></u>

Resolution 2020-044 Reappointing Kenneth Lewis as Public Works/Water Plant Superintendent and Authorizing the Execution of the Associated Agreement

Moved by Council President Musing; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing voted yes.

Resolution adopted 3-0.

Resolution 2020-44

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

REAPPOINTING KENNETH LEWIS AS PUBLIC WORKS/WATER PLANT SUPERINTENDENT AND AUTHORIZING THE EXECUTION OF THE ASSOCIATED AGREEMENT

WHEREAS, the Mayor and Council of the Borough of Hightstown, County of Mercer, have appointed Kenneth Lewis to serve as Public Works and Water Plant Superintendent; and

WHEREAS, Kenneth Lewis was reappointed as Public Works Superintendent pursuant to resolution 2015-08 on December 21, 2015 with said agreement being effective through December 31, 2019; and

WHEREAS, Kenneth was appointed Water Plant Superintendent pursuant to resolution 2017-169 effective September 22, 2017; and

WHEREAS, it is the desire of the Mayor to reappoint Kenneth Lewis of Roosevelt, NJ to continue to serve as Public Works Superintendent and Water Plant Superintendent for a period of three years from January 1, 2020 to December 31, 2022; and

WHEREAS, specific terms and conditions of employment for the Public Works Superintendent and Water Plant Superintendent have been set forth in the attached proposed written Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council hereby provides its advice and consent to the Mayor's reappointment of Kenneth Lewis of Roosevelt, NJ to continue to serve as the Public Works Superintendent and Water Plant Superintendent for the Borough of Hightstown, subject to the provisions specified in the attached employment agreement.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, the attached Employment Agreement on behalf of the Borough.

Employment Agreement

THIS EMPLOYMENT AGREEMENT (hereinafter referred to as "Agreement") is made and entered into this 1st day of January 2020 by and between KENNETH LEWIS (hereinafter referred to as "Lewis" or "Superintendent") and the BOROUGH OF HIGHTSTOWN, a municipal corporation of the State of New Jersey (hereinafter referred to as "Borough").

1. Title and Duties.

The Borough shall employ Lewis in the following positions, so long as Lewis remains certificated to serve in these positions: (1) Superintendent of Public Works; (2) Water Plant Superintendent (3) Recycling Coordinator; (4) Clean Communities Coordinator; (5) Safety Coordinator and Lewis shall perform such duties as are called for in these positions as established in law, statutes, rules and regulations and Borough ordinances, including, but not limited to Section 2-15.2 of the Borough Code as well as any other duties as assigned to him by the Borough or its designee.

2. Licenses and Qualifications.

Lewis represents that he possesses all licenses and certificates necessary for the positions set forth above, including but not limited to, a public works manager certificate, a copy of which shall be supplied to the Borough Clerk and be on record with the Borough.

3. Paid Time Off and Other Benefits.

Lewis shall receive paid time off in the form of sick, personal and vacation time as permitted and allowed

in Borough ordinances and/or the Borough's Personnel Policy, whichever is applicable. In case of a conflict between the Borough Ordinances and the Borough's Personnel Policies, the Borough's ordinances shall control. Lewis, as Superintendent, shall not be entitled

to receive payment of overtime and/or compensatory time in lieu of overtime or any other compensation as all of the positions above are exempt under Federal and State Law, as well as any local law/policy, as to overtime. The position of Superintendent (and all other positions above) is not covered by any collective bargaining agreement and Lewis is not a member of any collective bargaining unit. No benefits found in any collective bargaining agreement shall be applicable to Lewis. Mr. Lewis will be eligible to sell back up to 100% of his annual vacation allotment and up to 80 hours of unused sick leave. Such payments shall be made at his salary rate for the year in which the time was accrued.

4. Health Insurance.

Lewis shall receive health benefits as provided generally to non-union aligned employees in the Borough. In addition, Lewis shall be covered by all of the provision of Ch. 78, Pl. 2011.

5. Services to be Rendered.

Lewis shall provide, as necessary and required, all of the services for all of the positions set forth above fully, diligently, competently and to the best of the Lewis' ability. Lewis shall not undertake any paid work for any other employer other than the Borough's duties hereunder, except with approval of the Borough Administrator.

6. Salary/Compensation.

Lewis' 2020 salary for all titles with the Borough, with the exception of Water Plant Superintendent shall be paid at an annual rate of \$99,163.00 less all applicable deductions, effective January 1, 2020. Effective January 1, 2021, Lewis' full salary shall be paid at an annual rate of \$102,138.00, less all applicable deductions. Effective January 1, 2022, Lewis' full salary with the Borough shall be paid at an annual rate of \$105,202.00, less all applicable deductions. Salary shall be paid in accordance with the usual practice of the Borough.

Lewis' salary for the title of Water Plant Superintendent shall be paid at an annual rate of \$10,710.00 less all applicable deductions, effective January 1, 2020. Effective January 1, 2021, Lewis' full salary shall be paid at an annual rate of \$11,031.00, less all applicable deductions. Effective January 1, 2022, Lewis' full salary with the Borough shall be paid at an annual rate of \$11,362.00, less all applicable deductions. Salary shall be paid in accordance with the usual practice of the Borough.

Mr., Lewis shall receive a clothing allowance in the amount of \$500.00 per year to be paid as receipts are submitted to

validate clothing purchases. The amount to be paid shall not exceed \$500.00 per year.

7. Effect on Employment Relationship.

This Agreement is not intended to and does not affect the employment relationship between Lewis and the Borough except as expressly stated herein. Specifically, this Agreement does not convey and/or grant any greater protection either procedurally or substantively as to discipline. Mr. Lewis shall be tenured in the positions in this contract effective January 1, 2020, providing protection from termination of employment unless the Borough can prove negligence in the performance of his duties as required.

8. Performance Evaluation.

The Borough Administrator shall review and evaluate the performance of Lewis at least once (1x) annually. The Borough Administrator shall provide Lewis with a summary written statement of the findings of the evaluation and provide an adequate opportunity for Lewis to discuss his evaluation.

9. Entire Agreement.

Except as explicitly stated herein, this Agreement shall supersede any and all prior oral and/or written employment agreements and constitutes the entire agreement between the parties with respect to Lewis' employment with the Borough and there are no representations, warranties or agreements, whether expressed or implied, except as set forth herein. This Agreement may not be modified unless in a written instrument signed by both parties.

10. Controlling Law.

All of the terms, conditions and other provisions of this Agreement shall be interpreted and governed by reference to the substantive laws of the State of New Jersey, without giving effect to principles of conflicts of law.

11. Venue.

Any disputes or controversies arising out of this Agreement shall be submitted to the Superior Court of New Jersey, Mercer County.

12. Severability.

In the event any provision of this Agreement is determined to be illegal, invalid or unenforceable as written, the remaining provisions of this Agreement shall nevertheless be binding upon Lewis and the Borough with the same effect as though the void provision or portion thereof had been severed and deleted.

KENNETH LEWIS

BOROUGH OF HIGHTSTOWN

Kenneth Lewis

Lawrence D Quattrone, Mayor

Resolution 2020-045 Amending Resolution 2020-31 Authorizing Payment to Remington Vernick for Inspection and Contract Administration Services Associated with the Peddie Lake Dam Pedestrian Bridge Project

Moved by Councilmember Bluth; Seconded by Council President Musing.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing voted yes.

Resolution adopted 3-0.

Resolution 2020-45

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AMENDING RESOLUTION 2020-31 AUTHORIZING PAYMENT TO REMINGTON VERNICK FOR INSPECTION AND CONTRACT ADMINISTRATION SERVICES ASSOCIATED WITH THE PEDDIE LAKE DAM PEDESTRIAN BRIDGE PROJECT

WHEREAS, on January 6, 2020 with the adoption of Resolution 2020-31, the Borough Council authorized payment to Remington Vernick in the amount of \$3,165.18 for inspection and contract administration services through November 30, 2019; and

WHEREAS, it has come to the attention of the Borough Clerk that the original invoice amount was for \$3,564.22; and

WHEREAS, it is necessary to amend resolution 2020-31 increasing the authorized payment by \$399.04 for a total amount of \$3,564.22; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Resolution 2020-31 is hereby amended to increase payment by \$399.04 for a total payment of \$3,564.22 as outlined herein.

Resolution 2020-046 Authorizing Payment to Remington Vernick for Inspection and Contract Administration Services Associated with the Peddie Lake Dam Pedestrian Bridge Project

Moved by Council President Musing; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing voted yes.

Resolution adopted 3-0.

Resolution 2020-46

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING PAYMENT TO REMINGTON VERNICK FOR INSPECTION AND
CONTRACT ADMINISTRATION SERVICES ASSOCIATED WITH THE PEDDIE
LAKE DAM PEDESTRIAN BRIDGE PROJECT**

WHEREAS, on December 18, 2017, the Borough Council awarded a contract for Inspection and Contract Administration Services Associated with the Peddie Lake Dam Pedestrian Bridge to Remington Vernick Engineers, of Haddonfield, New Jersey at a cost not exceed \$184,921.28; and

WHEREAS, the engineer has submitted a payment request for inspection and contract administration services through December 31, 2019, in the total amount of \$629.94; and

WHEREAS, the CFO has certified that funds are available for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request to Remington Vernick Engineers of Haddonfield, New Jersey in the amount of \$629.94, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2020-047 Support for the Celebration of the 100th Anniversary of Women’s Suffrage

Moved by Councilmember Bluth; Seconded by Council President Musing.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing voted yes.

Resolution adopted 3-0.

Resolution 2020-47

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**SUPPORT FOR THE CELEBRATION OF THE 100TH
ANNIVERSARY OF WOMEN’S SUFFRAGE**

WHEREAS, the year 2020 marks the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution, guaranteeing and protecting women’s right to vote; and

WHEREAS, this centennial offers an opportunity to commemorate a milestone of democracy; that the right of citizens of the United States to vote shall not be denied or abridged by the federal or state governments on account of gender; and

WHEREAS, New Jersey has had a long, storied history in the suffrage movement with New Jersey women playing a crucial role in pursuing the rights of women to vote; and

WHEREAS, in 1776 women property owners were enfranchised under the New Jersey State Constitution, which was unique in the nation at the time. However, in 1807, the New Jersey Legislature eliminated the property requirement for voting rights and limited the ballot to white males; and

WHEREAS, in 1867 New Jersey residents Lucy Stone and Harry Blackwell organized the New Jersey Woman Suffrage Association (NJWSA), devoted to gaining women’s suffrage; and

WHEREAS, in 1909 New Jersey’s first open air suffrage rallies were held in Orange and Newark, led by Dr. Emma O. Gantz and Martha Klatschken with NJWSA collecting 5,000 signatures for a petition in support of the federal amendment guaranteeing and protecting women’s constitutional right to vote; and

WHEREAS, although the 1912 state referendum on woman’s suffrage was soundly defeated in the New Jersey Legislature a corner was turned for the New Jersey suffrage movement; and

WHEREAS, in 1913 an automobile rally led by “General” Rosalie Jones traveled through New Jersey on the way to Washington, D.C., in a Suffrage Parade of over 8,000 marchers with many New Jersey women including event organizer Alice Paul; and

WHEREAS, in 1915 a second suffrage constitutional referendum was pursued in New Jersey, New York, Pennsylvania, and Massachusetts with active campaigns by many suffrage organizations, including the “Passing of the Torch of Liberty” via tug boats on the Hudson River from New York to New Jersey, but was defeated in all four states October 1915; and

WHEREAS, in 1917 New Jersey suffragists Allison Turnbull Hopkins, Julia Hulburt, Beatrice Reynolds Kinkead, and Minnie D. Abbott picketed in front of the White House as part of the Silent Sentinels and subsequently were arrested and imprisoned; and

WHEREAS, on June 4, 1919 Congress passed the 19th Amendment guaranteeing all American women the right to vote; and

WHEREAS, on February 9, 1920, New Jersey became the 29th state to ratify the 19th Amendment granting women the right to vote; and

WHEREAS, shortly after the ratification of the 19th Amendment Margaret Laird and Jennie Van Ness were the first two women elected to the New Jersey Assembly in 1921 and in 1925 Rebecca Estelle Bourgeois Winston of Estell Manor was New Jersey’s first woman mayor;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Hightstown supports the efforts of New Jersey’s Suffrage Centennial NJ Women Vote and strongly encourages local celebrations of this historic milestone; and

BE IT FURTHER RESOLVED, a copy of this resolution will be forwarded to the Governor, Secretary of State and New Jersey League of Municipalities.

Resolution 2020-049 Supporting a No Passing Zone on Route 33 From Hickory Corner Road, East Windsor to Summit Street, Hightstown

Moved by Councilmember Cicalese; Seconded by Councilmember Bluth.

Councilmember Cicalese stated that this is a great thing. It is traffic calming and will make the road safer for drivers.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing voted yes.

Resolution adopted 3-0.

Resolution 2020-49

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

SUPPORTING A NO PASSING ZONE ON ROUTE 33 FROM HICKORY CORNER ROAD, EAST WINDSOR TO SUMMIT STREET, HIGHTSTOWN

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 33 in Hightstown; and

WHEREAS, NJDOT recommends a revision to the centerline pavement markings on Route 33 to create a "No Passing Zone" in the vicinity of Hickory Corner Road in East Windsor to Summit Street in Hightstown for safety reasons; and

WHEREAS, this project will create safer driving conditions in this area of Route33; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hightstown, County of Mercer, in the State of New Jersey, that it supports the use of a "No Passing Zone" on Route 33 in Hightstown as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJ DOT as requested.

CONSENT AGENDA

Councilmember Bluth moved Resolutions 2020-048 and 2020-050 as a Consent Agenda; Councilmember Cicalese seconded.

Roll Call Vote: Councilmembers Bluth, Cicalese and Musing voted yes.

Resolutions adopted 3-0.

Resolution 2020-48

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING RELEASE OF ESCROW FUNDS ORLANDO CHIRIBOGA & SANDRA DE LA CRUZ – 133 WILLIAM STREET, MINOR SUBDIVISION

WHEREAS, Orlando Chiriboga and Sandra DeLaCruz deposited escrow funds for a minor subdivision at Block 12, Lots 18, 19, 20 & 21.01 commonly known as 133 William Street; and

WHEREAS, Mr. Chiriboga and Ms. DeLaCruz have requested that the escrow funds on deposit with the Borough for Block 12, Lots 18, 19, 20 & 21.01 be released; and

WHEREAS, Mr. Chiriboga and Ms. DeLaCruz no longer own the property, therefore, will not be moving forward with said project; and

WHEREAS, The Borough has determined that there are no outstanding invoices for this project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the CFO is authorized and directed to release the escrow funds on deposit with the Borough for the project at Block 12, Lots 18, 19, 20 & 21.01 to Orlando Chiriboga and Sandra DeLaCruz at 16627 W. Barger Court, Harlingen, Texas, 78552.

A certified copy of this Resolution shall be provided to the following:

- a. Orlando Chiriboga & Sandra DeLaCruz
- b. George Lang, Hightstown Borough CFO
- c. George Chin, Hightstown Borough Construction Official
- d. Sandy Belan, Planning Board Secretary
- e. Carmela Roberts, Borough Engineer

Resolution 2020-50

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

RESOLUTION ADOPTING A DOMESTIC VIOLENCE POLICY

WHEREAS, on or about October 15, 2019, the New Jersey Civil Service Commission issued a Statewide Domestic Violence Policy (DVP) for Public Employers, which is attached hereto; and

WHEREAS, pursuant to N.J.S.A. 11A:2-6a(b)(1), “The [Civil Service Commission] shall develop a uniform domestic violence policy, which all public employers shall adopt and distribute to their employees, regardless of whether a public employer is subject to the provisions of Title 11A, Civil Service, of the New Jersey Statutes;” and

WHEREAS, the Borough of Hightstown seeks to update its Personnel Policies and Procedures Manual to comply with N.J.S.A. 11A:2-6a(b)(1).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown, in the County of Mercer, that the Borough of Hightstown Policies and Procedures Manual is updated as follows:

1. The Statewide DVP (which is attached hereto) shall be referenced and adopted in the Borough of Hightstown Personnel Policies and Procedures Manual.
2. The Borough of Hightstown Personnel Policies and Procedures Manual shall designate Sandy S. Belan, as Primary Human Resources Officer (HRO) and Mickie J. O’Connor, as the Secondary Human Resources Officer (HRO) for purposes of the DVP for the Borough of Hightstown.
3. The Table of Contents shall be updated to reflect the inclusion Borough’s adoption of the Statewide DVP.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Borough Clerk for distribution to all Borough employees.

Domestic Violence Policy for Public Employers attached hereto

PUBLIC COMMENT PERIOD II

Mayor Quattrone opened the public comment period II and the following individuals spoke:

Eugene Sarafin, 628 South Main Street – Great presentations by the Housing Authority and the Environmental Commission. The Housing Authority should be renamed after one of the Borough’s distinguished citizens. Happy to see that we are acknowledging the anniversary of women’s suffrage. Believes that the Constitution should be revised every 20 years. Believes that the Senate should be eliminated.

There being no further comments, Mayor Quattrone closed the public comment period.

DISCUSSION

New Business

Agenda Format

Council had requested that the discussion section of the agenda be broken down into “New Business” and “Old Business” with any old business items listing the dates of previous discussions. Deputy Clerk, Peggy Riggio, asked Council if the format of tonight’s agenda was acceptable. Discussion ensued. It was agreed that the format presented this evening was acceptable moving forward. The Administrator/Clerk would include a list of all open items in the weekly update.

Old Business

Accessory Structure Ordinance

Borough Attorney, Fred Raffetto, worked with Zoning Official, George Chin, to prepare the draft ordinance for accessory structure. They used generic language for freestanding elevated structure including but not limited to treehouses, elevated playhouses and elevated decks. Discussion ensued. Council requested that the paragraph regarding freestanding elevated structures be removed. This ordinance will be on the agenda for introduction February 18, 2020.

SUBCOMMITTEE REPORTS

Complete Streets Committee – Councilmember Cicalese stated that they are still working on the technical assistance grant. There is a survey online for the transportation grant and Mr. Cicalese asks that everyone take the time to fill out the survey.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Cicalese

Board of Health meets next week.

Councilmember Bluth

Cultural Arts Commission – Empty Bowls will be March 21st at the Peddie School. Thanked Mr. LePrevost for his presentation.

Deputy Clerk, Peggy Riggio

Dog & Cat license renewals are now late. There will be a \$5 late fee per license.

Borough Administrator/Clerk, Debra Sopronyi

The ADA railing on the Peddie Lake Bridge and the coating on the concrete will be completed once the weather gets warmer. There is a landscaper in town that has offered to donate his services to complete some landscaping in Memorial Park by the bridge.

Mayor Quattrone

Thanked Mr. LePrevost for his presentation. Suggested that he get the Boys Scouts and Girl Scouts involved in recycling.

ADJOURNMENT

Moved to adjourn by Councilmember Cicalese at 9:03; Seconded by Councilmember Bluth. All Ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

Prepared for:

THE BOROUGH OF HIGHTSTOWN

Reviewed by (print name): Debra L. Sopronyi, Borough Administrator/Clerk

Signature: _____ Date: _____

**DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS
The Borough of Hightstown**

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DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

The Borough of Hightstown

PURPOSE

The purpose of the State of New Jersey Domestic Violence Policy for Public Employers (herein "policy") is to set forth a uniform domestic violence policy for all public employers to adopt in accordance with N.J.S.A. 11A:2-6a. The purpose of this policy is also to encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resources officers to follow when responding to employees.

DEFINITIONS

The following terms are defined solely for the purpose of this policy:

Domestic Violence - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

Abuser/Perpetrator - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

Human Resources Officer (HRO) –An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the employer as the primary or secondary contact to assist employees in reporting domestic violence incidents.

Intimate Partner - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are dating or have dated in the past.

Temporary Restraining Order (TRO) -A civil court order issued by a judge to protect the life, health or well-being of a victim. TROs can prohibit domestic violence offenders from having

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

The Borough of Hightstown

contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim's home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately 10 business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

Victim - A person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following actors: a person with whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

Workplace-Related Incidents- Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization's physical workplace. An employee is considered to be in the workplace while in or using the resources of the employer. This includes, but is not limited to, facilities, work sites, equipment, vehicles, or while on work-related travel.

PERSONS COVERED BY THIS POLICY

All employees of **The Borough of Hightstown** are covered under this policy, including full and part time employees, casual/seasonal employees, interns, volunteers and temporary employees at any workplace location.

RESPONSIBILITY OF EMPLOYERS TO DESIGNATE A HUMAN RESOURCES OFFICER

The Borough of Hightstown hereby designates the following employees as the Primary HRO and Secondary HRO, to assist employees who are victims of domestic violence.

Primary HRO:

Sandy S. Belan, HRO
(609)490-5100 ext. 617

Secondary HRO:

Mickie J. O'Connor, HRO
(609)490-5100 ext. 621

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

The Borough of Hightstown

The designated Primary and Secondary HRO shall receive training on responding to and assisting employees who are domestic violence victims in accordance with this policy.

Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

The name and contact information of the designated HRO will be provided to all employees.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report. For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

DOMESTIC VIOLENCE REPORTING PROCEDURES

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee, are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must so report to the appropriate authority in addition to reporting to the designated HRO. Nothing in this policy shall preclude an employee from contacting 911 in emergency situations. Indeed, HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall:

- A. Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
- B. Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
- C. Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact the appropriate Employee Assistance Program to assist with securing resources and confidential services.

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS
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- D. Refer the employee to the provisions and protections of The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced under Section VIII of this policy.
- E. In cases where domestic violence involved a sexual touching or sexual assault between employees, the HRO is also required to report the incident to their agency's EEO Officer or Title IX Officer, **Debra L. Sopronyi, Borough Administrator/Clerk (609)490-5100 ext. 620.**
- F. If there is a report of sexual assault or abuse, the victim should be offered the services of the Sexual Assault Response Team, **Hightstown Police Department at (609)448-1234.**
- G. Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to this policy. (See Section VI).
- H. Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the work place and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs shall be maintained in a separate confidential personnel file.

CONFIDENTIALITY POLICY

In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law. Thus, this policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report.

This confidentiality policy shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law. The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure. For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

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This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.

CONFIDENTIALITY OF EMPLOYEE RECORDS

To ensure confidentiality and accuracy of information, this policy requires the HRO to keep all documents and reports of domestic violence in confidential personnel file separate from the employee's other personnel records. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.

The NJ SAFE Act allows a maximum of 20 days of unpaid leave in one 12-month period, to be used within 12 months following any act of domestic or sexual violence. To be eligible, the employee must have worked at least 1,000 hours during the 12-month period immediately before the act of domestic or sexual violence. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during 20 or more calendar weeks in the current or immediately preceding calendar year. This leave can be taken intermittently in days, but not hours.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19 and N.J.S.A. 30:4-27.6, respectively. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic or sexual violence.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities, for themselves, or a child, parent, spouse, domestic partner, or civil union partner, as they relate to an incident of domestic or sexual violence:

- 1) Seeking medical attention;
- 2) Obtaining services from a victim services organization;
- 3) Obtaining psychological or other counseling;
- 4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety;
- 5) Seeking legal assistance or remedies to ensure health and safety of the victim; or
- 6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS
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The full text of the New Jersey SAFE Act is provided in the Appendix to this policy.

PUBLIC EMPLOYER DOMESTIC VIOLENCE ACTION PLAN

The Borough of Hightstown has developed the following action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:

- A. Designate an HRO with responsibilities pursuant to Sections IV and V of this policy.
- B. Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.
- C. Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure, or other accommodation approved by the employer.
- D. Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TOI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
- E. Commit to adherence to the provisions of the NJ SAFE Act, including that the employer will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in this policy, if the victim provides notice to their Human Resources Office of the status or if the Human Resources Office has reason to believe an employee is a victim of domestic violence.
- F. Advise any employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to this policy, of the civil right of action under the NJ SAFE ACT. And advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the Conscientious Employees Protection Act or the New Jersey Law Against Discrimination and corresponding policies.
- G. Employers, their designated HRO, and employees should familiarize themselves with this policy. This policy shall be provided to all employees upon execution and to all new employees upon hiring. Information and resources about domestic violence are

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS The Borough of Hightstown

encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

RESOURCES

This policy provides an Appendix listing resources and program information readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

DISTRIBUTION OF POLICY

Debra Sopronyi, Borough Administrator/Clerk will be responsible for distributing this policy to employees, volunteers, and other employees identified above.

Debra Sopronyi, Borough Administrator/Clerk will be responsible for updating this policy at least annually to reflect circumstances changes in the organization.

Debra Sopronyi, Borough Administrator/Clerk will be responsible for monitoring The Civil Service Commission and the Division of Local Government Services in the Department of Community Affairs for modifications thereto, to public employers.

OTHER APPLICABLE REQUIREMENTS

In addition to this policy, the HRO and the public employer's appointing authority must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General Directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in this policy conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

POLICY MODIFICATION AND REVIEW

A public employer may seek to modify this policy, to create additional protocols to protect victims of domestic violence but may not modify in a way that reduces or compromises the safeguards and processes set out in this policy.

The Civil Service Commission will review and modify this policy periodically and as needed.

DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS
The Borough of Hightstown

POLICY ENFORCEABILITY

The provisions of this policy are intended to be implemented by the Civil Service Commission. These provisions do not create any promises or rights that may be enforced by any persons or entities.

POLICY INQUIRIES & EFFECTIVE DATE

Any questions concerning the interpretation or implementation of this policy shall be addressed to the Chair/Chief Executive Officer of the Civil Service Commission, or their designee. This policy shall be enforceable upon the HRO's completion of training on this policy.

Mercer County Domestic Violence Resources

New Jersey State Police

The New Jersey State Police's Victim Services Unit works to ensure domestic violence victims' needs are met and their rights are upheld to reduce the frequency of violent injuries and deaths as a result of domestic violence incidents. The unit informs victims of their rights, provides information and referrals to area social services providers, provides community awareness and presentations, and provides criminal justice support. Victim Service Unit Contact Information 609-882-2000.

New Jersey Statewide Domestic Violence Hotline

The New Jersey Statewide Domestic Violence Hotline operates 24 hours a day, 7 days a week, for domestic violence victims and other seeking crisis intervention, information, and/or referral services. All calls to the hotline at 800-572-7233 (800-572-SAFE) are confidential.

Womanspace

Womanspace provides services to individuals and families impacted by domestic and sexual violence and is dedicated to improving the quality of life for adults and their families. Programs include crisis intervention, emergency shelter, counseling, court advocacy, and housing services. Contact its crisis line, which operates 24 hours a day, 7 days a week, by calling 609-394-9000. Deaf or hard of hearing consumers are encouraged to call 609-619-1888. Womanspace's main office number is 609-394-0136.

STATE OF NEW JERSEY
DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

APPENDIX

I. RESOURCES AND ADVOCACY INFORMATION

Statewide Domestic Violence Hotline 1-800-572-SAFE (7233).

Guide to Services for Victims of Domestic Violence

**NJ Division on Women
Department of Children and Families
50 East State Street
PO Box 729
Trenton, NJ 08625-0729
Phone: (609) 888-7164**

Web: <https://www.nj.gov/dcf/women/>

New Jersey Coalition to End Domestic Violence

1670 Whitehorse-Hamilton Square Road • Trenton, New Jersey 08690-3541
24HR Helpline: 800-572-7233 / DV Legal Helpline: 844-403-2111 / VP: 609-434-3838
info@njcedv.org Training Institute <https://www.njcedv.org/>

The New Jersey Coalition to End Domestic Violence (NJCEDV) is a statewide coalition of domestic violence service programs and concerned individuals whose purpose and mission is to end domestic violence in New Jersey. NJCEDV performs its work through advocacy for survivors of domestic violence; collaboration with state agencies and its member programs; education and training; and technical assistance for its members and the community.

Futures Without Violence

FUTURES has been providing groundbreaking programs, policies, and campaigns that empower individuals and organizations working to end violence against women and children around the world. <https://www.futureswithoutviolence.org/>

Washington, DC Office
1320 19th St. NW
Suite 401
Washington, D.C. 20036
Phone: (202) 595-7382

II. LAWS PROTECTING VICTIMS OF DOMESTIC VIOLENCE

The State of New Jersey Policy on Discrimination in the Workplace. Under this policy, forms of employment discrimination or harassment based upon the following protected categories are prohibited and will not be tolerated: race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.

<https://www.state.nj.us/csc/about/divisions/eo/laws.html>

The New Jersey Law Against Discrimination (N.J.S.A. 10:5-12) (LAD) makes it unlawful to subject people to differential treatment based on race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status. The LAD prohibits unlawful discrimination in employment, housing, places of public accommodation, credit and business contracts. Not all of the foregoing prohibited bases for discrimination are protected in all of these areas of activity. For example, familial status is only protected with respect to housing. The Division has promulgated regulations that explain that a place of public accommodation must make reasonable modifications to its policies, practices or procedures to ensure that people with disabilities have access to public places. The regulations also explain that under the LAD, these reasonable accommodations may include actions such as providing auxiliary aides and making physical changes to ensure paths of travel.

The Application of Title VII and the ADA to Applicants or Employees Who Experience Domestic or Dating Violence, Sexual Assault, or Stalking: Questions and Answers

https://www.eeoc.gov//eeoc/publications/qa_domestic_violence.cfm

New Jersey SAFE Act

The New Jersey Security and Financial Empowerment Act (“NJ SAFE Act”), P.L. 2013, c.82, **provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during each of 20 or more calendar workweeks in the then-current or immediately preceding calendar year.**

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

- (1) **Seeking medical attention for, or recovering from, physical or psychological injuries** caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner or civil union partner
- (2) **Obtaining services from a victim services organization for the employee or the** employee's child, parent, spouse, domestic partner, or civil union partner
- (3) **Obtaining psychological or other counseling for the employee or the employee's child,** parent, spouse, domestic partner or civil union partner
- (4) **Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to** ensure the economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner
- (5) **Seeking legal assistance or remedies to ensure the health and safety of the employee or** the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
- (6) **Attending, participating in or preparing for a criminal or civil court proceeding** relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave may be taken intermittently in intervals of no less than one day. The unpaid leave shall run concurrently with any paid vacation leave, personal leave, or medical or sick leave that the employee elects to use or which the employer requires the employee to use during any part of the 20-day period of unpaid leave. If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the employer with written notice as far in advance as reasonable and practicable under the circumstances. The employer has the right to require the employee to provide the employer with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The employer must retain any documentation provided to it in this manner in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

The NJ SAFE Act also prohibits an employer from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person must file a private cause of action in the Superior Court within one year of the date of the alleged violation.

<https://nj.gov/labor/>

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III. RESOURCES

The Department of Children and Families Office of Domestic Violence Services (ODVS) funds 23 domestic violence programs and the New Jersey Coalition to End Domestic Violence. There is at least one DCF-funded domestic violence program in each of New Jersey's 21 counties.

The [Office of Domestic Violence Services](#) funds domestic violence services that serve the needs of victims in every county. Services for survivors, victims, and their families include emergency shelters, 24-hour hotlines, counseling, children's services, and financial, housing and legal advocacy.

The [Office of the Prevention of Violence Against Women](#) funds services that serve the needs of sexual assault victims and sexual violence prevention programs in every county. Services include a 24-hour hotline, crisis counseling, accompaniments by a confidential sexual violence advocate, and financial, housing and legal advocacy.

Through displaced homemaker programs, the [Office of Support, Employment, and Training](#) helps individuals gain or upgrade their skills for today's work force and become economically self-sufficient. Individuals can attend short term educational or training programs.

DOW Services

- Funds, monitors, and evaluates programs for the advancement of women
- Develops new programs to serve women
- Refers women to direct service providers
- Provides information on women's issue to the public
- Provides technical assistance to agencies representing women
- Represents women on boards, commissions, councils, committees, and task forces and provides input and recommendations on issues pertaining to the Division's Mission

The Family and Community Partnerships/Division on Women

Community Program Directory

<https://www.nj.gov/dcf/families/dfcp/DFCPDirectory.pdf>

This FCP/DOW Community Program Directory represents an ongoing commitment by DCF to increase access to resources that are designed to strengthen families, prevent child abuse or neglect, and empower survivors of domestic and sexual violence. The services identified in this Directory are funded by DCF's Family and Community Partnerships, a grant-making and best practices team committed to strengthening New Jersey's families. The directory receives continuous updates online as additional resources for families become available or as changes occur.

Other Programs in New Jersey through the Division on Women Office of Domestic Violence Services :

To find domestic violence resources by county, click on the related link to view [DFCP/DOW's Community Program Directory](#).

For more information, contact DOW at DOW@dcf.state.nj.us or at 609-888-7164.
<http://www.nj.gov/dcf/women/domestic/>

Legal Services

Legal Services of New Jersey and Central Jersey Legal Services

New Jersey Legal Services assists victims who cannot afford legal advice and/or representation. Assistance includes referral, advice, brief assistance, preparation of a letter or routine legal document, extended representation, and technical assistance. The program also offers training to domestic violence legal advocates, programs, attorneys and others.

Legal Services of New Jersey Domestic Violence Representation Project:

(888) LSNJ-LAW (888) 576-5529

Central Jersey Legal Services (908) 354-4340

Website: www.LSNJLawHotline.org

Culturally Specific Services

Bolo Behen (Speak Sister)

Bolo Behen works with different faith-based leaders throughout Hudson County, collaborating with leaders of temples, mosques, Islamic centers, Gurudwaras, and more. Bolo Behen facilitates groups called Community Chai where women can come and express their problems and concerns openly, comfortably, and without fear. People listen to each other's story and offer support. Services are based on a holistic approach that addresses the large range of client needs. Using culturally and linguistically appropriate methods, Bolo Behen builds trust with clients and creates an environment where South Asian women feel safe, respected, and understood.

24/7 Bilingual Hotline: (201) 795-5757

Project S.A.R.A.H (Stop Abusive Relationships at Home)

Project S.A.R.A.H. is a program that works to overcome cultural, legal, and religious barriers confronting victims of domestic violence and sexual abuse. Project S.A.R.A.H. operates within an environment that is sensitive to a victim's cultural and religious needs, serving as a bridge between abuse victims in the Orthodox community and support systems and resources. Project S.A.R.A.H. works closely with rabbis and rebbetzins, kallah teachers and mikvah attendants, camp directors and school administrators, parents, and the general public to keep the community safe for everyone. The program provides therapeutic interventions that enable victims to process the often unspeakable trauma they experienced and restore them toward fully functional and productive lives. Project S.A.R.A.H. connects victims and survivors with a broad array of services, including pro bono legal consultations, evaluations, individual and group therapy, psychiatric services, as well as emotional, financial and vocational support.

Confidential Hotline: (973) 777-7638.

Special Initiatives

Address Confidentiality Program

The New Jersey Address Confidentiality Program (ACP) assists individuals who, as a result of domestic violence, have relocated for their safety. This program limits the access to personal information that would reveal the new location of an ACP participant. ACP provides eligible victims of domestic violence with a substitute address that has no connection to their actual location. This substitute mailing address may be used when creating a new record with state or local government agencies.

New Jersey Address Confidentiality Program (ACP) Hotline 1 (877) 218-9133 Toll Free-Non-Emergency

The New Jersey Address Confidentiality Program Hotline provides services including – but not limited to – access to domestic violence information and referral services, including application procedures, and advocacy.

State of New Jersey

Department of Law and Public Safety

Office of the Attorney General

NJ State Police Victim Services Unit:

The Victim Services Unit will coordinate with State, County, and Municipal agencies to develop and implement domestic violence and sexual violence training programs, and continue to effectively work with road troopers to enhance training on the proper handling of these types of crimes.

<https://www.njsp.org/division/operations/domestic-violence-info.shtml>

New Jersey SAFE Act

The New Jersey Security and Financial Empowerment Act (“NJ SAFE Act”), P.L. 2013, c.82, provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during each of 20 or more calendar workweeks in the then-current or immediately preceding calendar year.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
- (2) Obtaining services from a victim services organization for the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner
- (3) Obtaining psychological or other counseling for the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
- (6) Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner, was a victim.

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave may be taken intermittently in intervals of no less than one day. The unpaid leave shall run concurrently with any paid vacation leave, personal leave, or medical or sick leave that the employee elects to use or which the employer requires the employee to use during any part of the 20-day period of unpaid leave. If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee’s entitlement under each respective law.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the employer with written notice as far in advance as reasonable and practicable under the circumstances. The employer has the right to require the employee to provide the employer with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The employer must retain any documentation provided to it in this manner in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

The NJ SAFE Act also prohibits an employer from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person must file a private cause of action in the Superior Court within one year of the date of the alleged violation.

This notice must be conspicuously displayed.