



Housing Authority of the City of Perth Amboy

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EDNA DOROTHY CARTY-DANIEL, Chairperson
REVEREND GREGORY PABON, Vice-Chairman
MIGUEL A. AROCHO
SHIRLEY JONES
PASTOR BERNADETTE FALCON-LOPEZ
DAVID BENYOLA
JOHN C. ANAGNOSTIS

DOUGLAS G. DZEMA, P.H.M.
Executive Director

EDWARD TESTINO
Counsel

**THE MINUTES OF THE REGULAR MONTHLY MEETING
OF
THE BOARD OF COMMISSIONERS
OF
THE HOUSING AUTHORITY OF THE CITY OF PERTH AMBOY**

**Monday, April 9, 2018
12:00 p.m.**

The Board of Commissioners of the Housing Authority of the City of Perth Amboy met for the Regular Monthly meeting on Monday, April 9, 2018 at the Residences at Willow Pond Village, Community Room located at 650 Chamberlain Avenue, Perth Amboy, New Jersey 08861.

<Moment of Silence.>

<Pledge of Allegiance.>

The meeting was called to order by Chairperson Carty-Daniel and statement read as to proper notification of the meeting given in accordance with the Open Public Meeting Act Law as follows:

“Adequate Notice has been made as to the time, place, and date of the meeting and as to the nature of business to be discussed being the general business of the Authority.”

Upon roll call, those present and absent were as follows:

Present:	Chairperson	Edna Dorothy Carty-Daniel
	Vice-Chairman	Gregory Pabon
	Commissioner	Miguel A. Arocho (arrived late)
	Commissioner	Shirley Jones
	Commissioner	Pastor Bernadette Falcon-Lopez
	Commissioner	John C. Anagnostis
Excused:	Commissioner	David Benyola

The Chairperson declared said quorum present.

On the motion of Commissioner Anagnostis, which motion was seconded by Commissioner Falcon-Lopez, the Board concurred to approve the Minutes of the Regular Board Meeting of February 16, 2018, as presented. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

<No Reports of Committee >

<No Public Discussion of Agenda Topics.

The following resolution was introduced by Vice-Chairman Pabon, read in full and considered:

RESOLUTION NO. 3269-18

RESOLUTION TO APPROVE THE ADOPTION OF THE OPERATING BUDGET FOR THE HOUSING AUTHORITY OF THE CITY OF PERTH AMBOY FOR FISCAL YEAR ENDING MARCH 31, 2019.

WHEREAS, the Annual Budget and Capital Budget for the Housing Authority of the City of Perth Amboy for the fiscal year beginning, April 1, 2018 and ending, March 31, 2019 has been presented before the governing body of the Housing Authority of the City of Perth Amboy at its open public meeting of 4/10/2018; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$16,575,195, Total Appropriations, including any Accumulated Deficit if any, of \$16,558,300 and Total Unrestricted Net Position utilized of 0; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$0 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$0; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Housing Authority of the City of Perth Amboy, at an open public meeting held on 2/13/2018 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Housing Authority for the fiscal year beginning, April 1, 2018 and ending, March 31, 2019 is hereby adopted and shall constitute appropriation for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Commissioner Jones moved that the foregoing resolution be adopted as presented, which motion was seconded by Commissioner Falcon-Lopez. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and said resolution was adopted.

The following resolution was introduced by Commissioner Falcon-Lopez, read in full and considered:

RESOLUTION NO. 3270-18

RESOLUTION TO RESCIND RESOLUION #3267-18 AND APPROVE THE AWARD FOR CHANGE ORDER #2 FOR THE KITCHEN UPGRADES AT WILLIAM A. DUNLAP HOMES

WHEREAS, the Housing Authority of the City of Perth Amboy (the "Authority") has awarded the contract for the kitchen upgrades at William A. Dunlap Homes to Helios Construction, Inc. in the amount of \$553,000.00 and Change Order #1 for the additional modifications of three handicap units in the amount of \$20,326.25; and

WHEREAS, Change Order #2 for the double wall demolition and removal of exposed gas lines in the four completed units and the replacement of the existing electrical panel board disconnects was subsequently awarded in the amount of \$6,472.20; and

WHEREAS, after receipt of Change Order #2 by the contractor, a price was negotiated to include the double wall demolition on six additional units as well as the panel board disconnects for a total price of \$7,072.50. The increase of only \$600.30 was due to the omission of the removal of the gas lines; and

NOW, THEREFORE BE IT RESOLVED, the revised Change Order #2 was accepted by the Authority engineer, LS Engineering Associates on February 21, 2018. The addition of Change Order #2 in the amount of \$7,072.50 brings the total change order value to \$27,398.75, which is below the 20% threshold of the original bid, and sufficient funds are available to pay for the additional work.

Vice-Chairman Pabon moved that the foregoing resolution be adopted as presented, which motion was seconded by Vice-Commissioner Jones. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and said resolution was adopted.

The following resolution was introduced by Commissioner Falcon-Lopez, read in full and considered:

RESOLUTION NO. 3271-18

**RESOLUTION AWARDING THE CONTRACT FOR
PAINTING CONTRACTOR TO BALANIKAS PAINTING FROM**

WHEREAS, the Housing Authority of the City of Perth Amboy (the "Authority") from time to time requires the painting of apartments for apartment turnovers at its public housing sites; and

WHEREAS, the Contract is to be awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Authority solicited proposals for a two-year service contract through public advertisement in The Home News Tribune on 2/24/18 and posted the same on the Authority's website and received proposals until 3/13/18; and

WHEREAS, Balanikas Painting of Long Branch, New Jersey, having received positive references, submitted the proposal which price was the most advantageous to the Authority and which proposal conformed to all requirements; and

WHEREAS, sufficient funds are available from the Authority's operating funds to pay for the required services.

NOW THEREFORE BE IT RESOLVED by the Board of the Authority as follows:

The Authority awards the contract to Balanikas Painting for the as needed painting services at its public housing sites at the proposed flat rates per apartment from April 1, 2018 through March 31, 2020.

Commissioner Anagnostis moved that the foregoing resolution be adopted as presented, which motion was seconded by Vice-Chairman Pabon. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and said resolution was adopted.

The following resolution was introduced by Commissioner Falcon-Lopez, read in full and considered:

RESOLUTION NO. 3272-18

**RESOLUTION AWARDING THE CONTRACT TO TOWN APPLIANCE
FOR THE SUPPLY AND INSTALLATION OF 165 AIR CONDITIONING UNITS
FOR THE AMOUNT OF \$73,368.85**

WHEREAS, the Housing Authority of the City of Perth Amboy (the "Authority") has a need to hire a qualified contractor to supply and install new air conditioning units in each apartment of Wesley T. Hansen Apartments; and

WHEREAS, the Contract is to be awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Authority solicited sealed bids through public advertisement for such services in the Home News Tribune on 2/28/18 and posted the same on the Authority's website and opened bids on 3/27/18; and

WHEREAS, Town Appliance of Lakewood, New Jersey, having confirmed their bid price, submitted the bid which price was the most advantageous to the Authority, and which bid conformed to all requirements; and

WHEREAS, sufficient funds are available to pay for the required services.

NOW THEREFORE BE IT RESOLVED by the Board of the Authority as follows:

The Authority awards the contract to Town Appliance for the supply and installation of 165 air conditioning units for a total cost of \$73,368.85.

Vice-Chairman Pabon moved that the foregoing resolution be adopted as presented, which motion was seconded by Commissioner Jones. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and said resolution was adopted.

The following resolution was introduced by Commissioner Falcon-Lopez, read in full and considered:

RESOLUTION NO. 3273-18

**RESOLUTION AUTHORIZING THE RENEWAL OF THE CONTRACT
FOR LAWN MOWING AND LEAF RAKING SERVICES**

WHEREAS, the Housing Authority of the City of Perth Amboy (the "Authority") requires lawn mowing and leaf raking services at its various housing development sites; and

WHEREAS, the Contract was awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. to G & J Landscaping & Construction, LLC for a period of one year, renewable for two additional years at the same terms; and

WHEREAS, the contractor has performed satisfactorily over the past year; and

WHEREAS, sufficient funds are available from the Authority’s operating funds to pay for the required services;

NOW THEREFORE BE IT RESOLVED by the Board of the Authority as follows:

The Authority authorizes the renewal of the contract for the 2018 landscaping season with G & J Landscaping & Construction, LLC for the lawn mowing and leaf raking services at the Authority’s various housing development sites for a per-service cost, for all sites, of Two Thousand One Hundred Dollars and no cents (\$2,100.00) for lawn mowing, and a per- service cost, for all sites, of Three Thousand Six Hundred Fifty dollars and no cents (\$3,650.00) for leaf raking at all sites.

Commissioner Jones moved that the foregoing resolution be adopted as presented, which motion was seconded by Commissioner Anagnostis. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and said resolution was adopted.

<Commissioner Miguel Arocho arrives to meeting.>

The following resolution was introduced by Commissioner Falcon-Lopez, read in full and considered:

RESOLUTION NO. 3274-18

RESOLUTION TO TRANSFER 2012 OPERATING FUND OFFSET LITIGATION MONIES TO PARTNER

WHEREAS, in 2012 the United States Department of Housing and Urban Development “HUD” reduced the Housing Authority’s operating subsidy entitlement due to what they deemed to be excess operating reserves held by the Housing Authority; and

WHEREAS, both NAHRO and PHADA sponsored a joint class action suit against HUD that stated recapture of operating reserves was not allowable; and

WHEREAS, the Housing Authority of the City of Perth Amboy “HACPA” joined the suit as a plaintiff for \$3,000 as it experienced a recapture in the amount of \$1,333,790; and

WHEREAS, the courts found in favor of the plaintiffs in the case and HUD declined to appeal the judgement; and

WHEREAS, HUD applied a proration to the award based on what the HACPA would have received had the recapture not been initiated; and

WHEREAS, the HACPA received a judgement after the proration in the amount of \$991,141, and

WHEREAS, the attorneys for the plaintiff's in the lawsuit have deemed the monies received in the judgement to be non-federal and HUD has stated the HACPA should receive guidance from its attorney to affirm this position; and

WHEREAS, the HACPA attorney Edward Testino, Esq. has reviewed the judgement and the regulations related to the award of these funds and has opined to its characterization; and

WHEREAS, the HACPA administration is recommending transfer of these non-federal funds to its affiliate PARTNER to be used to further the mission of PARTNER, a 501 © 3 corporation,

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of Perth Amboy the following:

- 1) Authorization for the Executive Director to transfer the non-federal judgement award received from the Department of Treasury for the 2012 Operating Fund offset litigation in the amount of \$991,141 to PARTNER
- 2) Said funds to be used to further the mission of PARTNER
- 3) The opinion of Edward Testino, Esq. will be made part of this resolution.

Commissioner Arocho moved that the foregoing resolution be adopted as presented, which motion was seconded by Vice-Chairman Pabon. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and said resolution was adopted.

On the motion of Commissioner Falcon-Lopez, which motion was seconded by Vice-Chairman Pabon, the Board concurred to ratify the approval of the March Bill List and Communications, as presented. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

On the motion of Commissioner Jones, which motion was seconded by Commissioner Arocho, the Board concurred to ratify the approval the recommendation for the March 2018 PARTNER payment of expenses incurred through Dunlap RAD/ Hansen RAD/ Dunlap RAD-Construction/ and Hansen RAD-Construction, as presented. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

On the motion of Commissioner Falcon-Lopez, which motion was seconded by Commissioner Arocho, the Board concurred to approve the April Bill List and Communications, as presented. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

On the motion of Chairperson Carty-Daniel, which motion was seconded by Commissioner Anagnostis, the Board concurred to approve the recommendation for the April 2018 PARTNER payment of expenses incurred through Dunlap RAD/ Hansen RAD/ Dunlap RAD-Construction/ and Hansen RAD-Construction, as presented. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner David Benyola				X
Commissioner John C. Anagnostis	X			

Report on PARTNER

- Gateway Programs – more funding opportunities.
- Update on the Habitat for Humanity –662 Cortlandt Street, Perth Amboy property
- ASK Scholarship Program update

Update on the RAD Program

- Douglas Dzema, Executive Director updated the Board on the RAD Program, as follows:
 - o File/compliance with HMFA completed within 120-day deadline from closing.
 - o HMFA/Insurance and asset requirements – staff learning curve. Resident interviews continuing.
 - o Construction abound – all sites – must be completed by December 2018.
 - o Working on RAD conversions for both Keansburg/Highlands Authorities.

PUBLIC SESSION

- No comment from the public.

UNFINISHED BUSINESS - None reported.

NEW BUSINESS – None reported.

REPORT OF THE ATTORNEY – None reported.

REPORT OF THE EXECUTIVE DIRECTOR

Douglas Dzema, Executive Director reminded the Board of the City to file their 2018 Financial Disclosure Statement, due by April 20, 2018 to the Department of Community Affairs.

REPORT OF THE CHAIRPERSON – None reported.

On the motion of Commissioner Falcon-Lopez, which motion was seconded by Commissioner Jones, the Board concurred to adjourn.

Respectfully submitted by,



Douglas G. Dzema
Executive Director/Secretary