

ITEM E

**HOUSING AUTHORITY OF THE CITY OF PASSAIC
BOARD OF COMMISSIONERS' MEETING
MAY 16, 2018**

PLACE: Community Center
33 Aspen Place
Passaic, New Jersey 07055

READING OF THE OPEN PUBLIC MEETINGS ACT:

As required by NJSA 10:4-6 et seq. known as the Open Public Meetings Act, notice of this meeting was provided in the following manner: On December 21, 2017 notice of this meeting specifying the date, time and location was transmitted to the Herald News and The Record and to the Clerk of the City of Passaic. Notice was also posted at all HACP sites.

COMMISSIONERS - PRESENT: Beatrice Johnson (Arrived at 6:10 p.m.)
Alan Juszcyk
Delmis G. Fernandez
Edwin Perez
Ronald Van Rensalier
Angel LaBoy
-ABSENT: L. Daniel Rodriguez

STAFF MEMBERS PRESENT: Pamela Mitchell
Joann Arroyo
Leidy Brito-Diroche
Glenny Candelaria
Joanna Lara
Natasha Pearson
Barbara Rivera
Vincent Wynter

Meeting opened at 6:00 p.m.

ROLL CALL:

Commissioner Johnson: Absent; Commissioner Juszcyk: Present; Commissioner LaBoy: Present; Commissioner Rodriguez: Absent; Commissioner Fernandez: Present; Commissioner Perez: Present; Chairman Van Rensalier: Present.

REMARKS BY CITIZENS

The following was read: In accordance with the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.) The Housing Authority of the City of Passaic opens every public meeting for comments of the public. Each person choosing to speak at the meetings will be limited to five minutes, to speak on any subject, on or off the agenda. All speakers must state their name and address for the record.

However, in accordance with N.J.S.A. 10:4-12 “nothing in this Act shall be construed to limit the discretion of a public body to permit, prohibit or regulate the active participation at any meeting”

Therefore, please be advised that the Housing Authority of the City of Passaic will not entertain any comments from persons who communicate obscene material, make statements which are considered bias intimidation in which a person intends to intimidate any individual or group because of race, color, religion, gender, handicap, sexual orientation or ethnicity or makes comments intending to harass or speak in any offensive language. The person who makes these statements will relinquish their allotted five minutes for public discussion. Any person who persists in speaking out of turn, or interrupts the peace and order of the meeting will be escorted off the premises.

There were no remarks by citizens.

A motion was made by Commissioner LaBoy, seconded by Commissioner Van Rensalier to close the *Remarks by Citizens* portion of the meeting.

MINUTES OF THE APRIL 18, 2018 BOARD OF COMMISSIONERS MEETING

A motion was made by Commissioner LaBoy, seconded by Commissioner Perez to approve the minutes of the April 18, 2018 Board of Commissioners’ meeting.

Commissioner Juszcyk requested that supplemental resolution on Page Six “*Resolution to retain Pamela Mitchell as Executive Director....*” be corrected to reflect he made the motion.

Correction: *A motion was made by Commissioner Juszcyk, seconded by Commissioner Rodriguez to approve the aforementioned resolution.*

Commissioner Juszcyk requested that Page 4 be corrected to reflect who made and seconded the motion for the approval of the minutes of the March 28, 2018 Board of Commissioners’ meeting.

Correction: *A motion was made by Commissioner Perez, seconded by Commissioner Fernandez to approve the minutes of the March 28, 2018 Board of Commissioners’ Meeting.*

On roll call vote: Commissioner Juszcyk: Aye; Commissioner LaBoy: Abstained; Commissioner Fernandez: Aye; Commissioner Perez: Aye; Chairman Van Rensalier: Aye.

MOTION: MINUTES FOR APRIL 18, 2018 BOARD MEETING APPROVED AS AMENDED.

RESOLUTIONS

CHAIRMAN VAN RENSALIER STATED THAT ANY MEMBER OF THE BOARD MAY REQUEST THAT ANY ITEM BE REMOVED FROM THE CONSENT AGENDA AND BE CONSIDERED SEPARATELY. ALL REMAINING ITEMS WILL BE CONSIDERED TOGETHER.

Commissioner Juszcyk requested that Resolution 2018-28 be withdrawn from the agenda.

Commissioner LaBoy requested Resolutions 2018-30 and 2018-31 be considered separately.

2018-28 RESOLUTION AUTHORIZING AN AWARD OF A CONTRACT TO SIGNS OF 2000, INC. IN THE AMOUNT OF TWENTY-SIX THOUSAND, EIGHT HUNDRED DOLLARS (\$26,800.00) FOR AWNINGS.

Commissioner made a motion to withdraw the resolution. There was no second to the motion to withdraw the resolution from the agenda.

A motion was made by Chairman Van Rensalier, seconded by Commissioner Perez to approve Resolution 2018-28.

Commissioner Juszcyk:

- How many awnings were covered by this resolution at each site? Property Manager Joann Arroyo: Four awnings per high rise- one for Gregory and one for East Monroe. They face the opposite side two face the front two face the back to cover the top part balcony for the seventh floor apartments.
- What was the process for soliciting vendors for this? Ms. Arroyo: About six vendors were called and three responded.
- Commissioner Juszcyk stated that he received an advertisement for awnings (SunSetter Retractable Awnings) and asked if they were one of the vendors that was contacted and was wondering if this company was contacted. Ms. Arroyo: That coupon is for residential awnings.
- Commissioner asked if they did commercial awnings. Ms. Arroyo: SunSetter that is the one I have it is for residential.
- Did any of the Commissioners other than myself checked this vendor on Yelp for the evaluations? Commissioner Juszcyk checked Yelp and there were some mixed reviews - some positive and some negative. He hopes if the Authority does hire them they would do a good job for the Authority.
- Commissioner Juszcyk questioned why the State Pay-to-Play law was included this resolution and not others. If this company did make reportable contributions who did they make it to....
- Attorney Corriston: I spoke to Bob Sforza. He prepared the initial resolution. What happens here is that we have between the \$17,500 which is the threshold for the Pay to Play rule and the 40K threshold for sealed bidding.... Once you go over \$17,500 you have to state whether you did it by sealed bid by the Pay to Play or if you didn't. There is no obligation to do it by sealed bid, but if you do, you have to confirm that the bidder has not made reportable contributions and that they will not make reportable contributions....

I can't speak to why others did or did not have it in the resolution. I can speak why he has it in the resolution because he was over the \$17,500 but well under the \$40,000 threshold.

- Commissioner Juszcyk: Well, in the last five years I have never seen this in any other resolution.
- Commissioner LaBoy: Maybe we are moving to a better level now.
- Director Mitchell: We did not have the QPA on board. He was hired in April of last year.
- Attorney Corrison: Without a QPA or Qualified Purchasing Agent then your threshold for bidding is the same as your Pay to Play which is \$17,500.

Commissioner Van Rensalier:

- Have you used this vendor in the past? Property Manager Joann Arroyo: No. My rationale for this question is My rationale for this question is I believe, and correct me if I am wrong, that if we use a contractor multiple times then if you go over \$17,500 then it becomes a bid. Attorney Corrison: It is not the vendor is the same type of product....

Commissioner Juszcyk:

- How come this wasn't included in the RAD improvements for these sites? Director Pamela Mitchell: As far as I know it wasn't included after they were removed. I wasn't involved in the process. During the process mention was made that the awnings should have been reinstalled and it was just dismissed. You don't see any records of the awnings being visited to be reinstalled or just to let them be. Commissioner Van Rensalier: Dismissed. Director Mitchell: Dismissed like it wasn't addressed.
- There wasn't an issue with leaking awnings in the past. Ms. Arroyo stated that it was brought to the attention of the general contractor and the architect at the semi-monthly meetings during the project, but it was a matter of numbers.
- What happens if we do not vote on this resolution tonight? Ms. Arroyo stated that several residents would be affected as the water goes into their apartments when it rains.

Commissioner Van Rensalier stated that the Board had legitimate questions and asked for a consensus of the Board as to whether they should vote on the resolution.

Commissioner Juszcyk:

- The \$26,000 just covers the awnings not the damaged flooring. Property Manager Joann Arroyo: The floors would be a separate resolution.
- Commissioner Juszcyk stated that he would like to see more involvement by potential vendors. There were additional comments regarding vendor response.

Commissioner Van Rensalier:

- Suggested that the Procurement and Contracts Manager Robert Sforza be present at the next Board meeting;
- He asked for feedback from other commissioners.

Commissioner Johnson stated that rain was expected to continue and it would cause additional damage to the floors. She noted that residents complained at the last Board meeting about the rain getting in and the damage to their floors. She stated that it was better for the Authority to install the awnings now and then go out to bid for the floors. She added that if the awnings are not installed the water is going to sip in and cause greater damage, including mold and expose the Authority to possible litigation. She stated that the awnings are kind of a Band-Aid and will

prevent the cut or the sore from getting bigger. She expressed her concerns especially about residents with mobility issues. She remarked that the seniors always pay their rent on time and should not have to live in that type of condition. We can go back to our notes and see if the awnings were there originally and who the awnings out. The Authority should not make them suffer because of someone did not project or foresee this type of weather that would cause the floor to become an issue. This is a health and safety issue for the seniors.

Director Mitchell: I just wanted to add that from my survey we have two apartments that are already on the subflooring so having them wait may be an additional cost. This is not just the tiles it is the subflooring. I do agree with the bidding process of going out to solicit to more vendors but we just did a bidding process for RAD2 for the floor replacement that is on the agenda and we only got two vendors. And that was put out in the newspapers and however we circulate so we I just wanted you to know that whether we go out to bid or not you may end up with a limited response like you do when you solicit.

Commissioner Van Rensalier:

- Is there anything illegal in this resolution in your legal opinion? Is this okay for the commissioners to be confident and comfortable that they can vote on it? Attorney Corrison: I cannot speak to the process and I am going to trust that the staff and the procurement officer know the process that is done properly. I can speak to the resolution. There is no requirement to go out to bid to anything that is over \$17,500. The requirement is for \$40,000. The \$17,500 is simply to record whether you did so that is on record so that somebody can verify if this particular contractor has some ... influence with local politics.... There is nothing improper about this resolution....

The Board, HACP counsel, and staff continued to discuss this issue at length.

Commissioner Johnson: Aye; Commissioner Juszcyk: Aye; Commissioner LaBoy: Aye;
Commissioner Fernandez: Aye; Commissioner Perez: Aye; Chairman Van Rensalier: Aye.

MOTION: RESOLUTION 2018-28 APPROVED.

2018-30 RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF PASSAIC AUTHORIZING AN AWARD OF A CONTRACT TO J. MORANO CONTRACTING LLC FOR FLOORING REPLACEMENTS AT VREELAND VILLAGE IN THE AMOUNT OF TWO-HUNDRED SEVENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$275,000.00).

A motion was made by Commissioner LaBoy, seconded by Commissioner Juszcyk to approve Resolution 2018-30.

Commissioner LaBoy indicated that recapitulation under J. Morano's pricing, Unit Price A after the 2, there was a comma instead of a period. It should read \$2.50.

Commissioner Johnson: Aye; Commissioner Juszcyk: Aye; Commissioner LaBoy: Aye;
Commissioner Fernandez: Aye; Commissioner Perez: Aye; Chairman Van Rensalier: Aye.

MOTION: RESOLUTION 2018-30 APPROVED.

2018-31 RESOLUTION AUTHORIZING AN AWARD OF A CONTRACT TO PADOVANI ROOFING & CONSTRUCTION FOR ROOF REPLACEMENTS AT VREELAND VILLAGE IN THE AMOUNT OF ONE HUNDRED THIRTY-ONE THOUSAND NINE HUNDRED DOLLARS AND NO CENTS (\$131,900.00).

A motion was made by Commissioner LaBoy, seconded by Commissioner Fernandez to approve Resolution 2018-31.

Commissioner LaBoy questioned the unit pricing. How those things work out? Is it just how the contractor presents it and whatever is chosen? Director Mitchell: Yes. Commissioner LaBoy: Okay.

Commissioner Johnson: Aye; Commissioner Juszcyk: Aye; Commissioner LaBoy: Aye; Commissioner Fernandez: Aye; Commissioner Perez: Aye; Chairman Van Rensalier: Aye.

MOTION: RESOLUTION 2018-31 APPROVED.

CONSENT AGENDA:

2018-25 RESOLUTION CONFIRMING THE APPOINTMENT OF PAMELA MITCHELL TO SERVE AS EXECUTIVE DIRECTOR ON THE TERMS AND CONDITIONS DISCUSSED IN CLOSED SESSION SUBJECT TO THE APPROVAL OF THE STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS.

2018-26 RESOLUTION APPROVING ACCOUNTS PAYABLE FOR THE PERIOD OF APRIL 16, 2018 THROUGH MAY 11, 2018.

2018-27 RESOLUTION INTRODUCING AN ADDENDUM TO THE HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN (ADMIN PLAN) FOR A 45-DAY RESIDENT COMMENT PERIOD.

2018-29 RESOLUTION ADOPTING AN ADDENDUM TO THE LEASE AND REVISION TO THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP).

2018-32 RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF PASSAIC AUTHORIZING AN AWARD OF A TWO YEAR CONTRACT

TO NOVOGRADAC & COMPANY, LLP FOR AN INDEPENDENT FINANCIAL AND COMPLIANCE AUDIT IN THE AMOUNT OF SEVENTEEN THOUSAND EIGHT HUNDRED EIGHTY-FIVE DOLLARS AND NO CENTS (\$17,885.00) FOR EACH YEAR.

2018-33 RESOLUTION REQUESTING APPROVAL FOR OFFICIAL TRAVEL TO AND FROM SADDLE BROOK, NEW JERSEY BY TENANT INTERVIEWER, ANGELICA MARTI, FOR THE PURPOSE OF ATTENDING A ONE-DAY SEMINAR ENTITLED "MAKING THE TRANSITION FROM STAFF TO SUPERVISOR" SPONSORED BY FRED PRYOR SEMINARS ON JUNE 6, 2018.

A motion was made by Commissioner Fernandez, seconded by Commissioner Johnson to approve Resolutions 2018-26, 2018-27, 2018-29, 2018-32 and 2018-33.

Commissioner Johnson: Aye; Commissioner Juszcyk: Aye; Commissioner LaBoy: Aye; Commissioner Fernandez: Aye; Commissioner Perez: Aye; Chairman Van Rensalier: Aye.

2018-34 RESOLUTION REQUESTING APPROVAL FOR OFFICIAL TRAVEL TO AND FROM GLEN BURNIE, MD BY HAHSAN BATTLE TO ATTEND A PUBLIC HOUSING MANAGER TRAINING ON DECEMBER 3 – DECEMBER 7, 2018.

A motion was made by Commissioner Juszcyk, seconded by Commissioner LaBoy to approve Resolution 2018-34.

Commissioner Juszcyk thanked the Board of Commissioners for pulling Resolution 2018-22 and reinstating it at this meeting. He stated the Authority will be saving \$650.00. He said that he hopes Mr. Battle passes his certification and becomes a great asset to this organization.

Commissioner Johnson: Aye; Commissioner Juszcyk: Aye; Commissioner LaBoy: Aye; Commissioner Fernandez: Aye; Commissioner Perez: Aye; Chairman Van Rensalier: Aye.

CORRESPONDENCE

None.

EXECUTIVE DIRECTOR'S REPORT

Submitted.

COMMITTEE REPORT

None.

TREASURER'S REPORT/ DIRECTOR OF FINANCE REPORT

Submitted.

DIRECTOR OF HOUSING CHOICE VOUCHER PROGRAM'S REPORT

Submitted.

DIRECTOR OF RESIDENT SERVICES' REPORT

Submitted.

PASSAIC AFFORDABLE HOUSING COALITION'S REPORT

Submitted.

OLD BUSINESS

None.

NEW BUSINESS:

None.

ADJOURNMENT

6:45 p.m.

Respectfully submitted,



Pamela Mitchell
Executive Director/Secretary