

STATE OF NEW JERSEY
SECAUCUS HOUSING AUTHORITY
700 COUNTY ROAD
SECAUCUS, NEW JERSEY

April 17, 2014

This is a condensed transcription of the taped minutes as taken on Thursday, April 17, 2014 at Kroll Heights, 700 County Road, Secaucus, New Jersey.

Chairman Michael Harper welcomed everyone and called the meeting to order.

ROLL CALL

Present:

Chairman Michael Harper
Vice-Chairman Michael Schlemm
Commissioner Roger Adriaenssens
Commissioner Michael Grecco
Commissioner Arleen Kroll
Commissioner Richard Fairman

Also Present: Executive Director Christopher Marra
Deputy Executive Director Jake Naszimento
James Burke, Esq., Counsel to the Authority
Kenny Koch, Mayor's Liaison

Mr. Marra read the Open Public Meetings Act.

OPEN PUBLIC MEETINGS ACT

“Adequate notice of this meeting, as required by the Open Public Meetings Act, has been provided by the filing of a Regular Meeting Notice with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Government Center, and delivery of same to the Jersey Journal and Secaucus Homes News on December 26, 2013. This body wishes to advise you that, in accordance with N.J.S.A. 26:3D(1), et seq. (Smoking in Public Buildings), smoking is prohibited while this body is in open or closed session.”

FLAG SALUTE

(At this point in the proceeding, the Pledge of Allegiance was led by First Ward Councilman/Housing Commissioner Michael Grecco.)

ANNUAL REORGANIZATION

ED Marra said this is the first meeting of the fiscal year, and thus a reorganization meeting.

Motion to nominate Michael Harper as Chairman made by Michael Schlemm. There were no other nominations. Nominations closed.

VOTE: AYES/All Present Commissioners (6)

Chairman Harper asked for nominations for Vice-Chairman.

Motion to nominate Michael Schlemm as Vice-Chairman made by Chairman Harper. There were no other nominations. Nominations closed.

VOTE: AYES/All Present Commissioners (6)

Chairman Harper asked for nominations for Treasurer.

Motion to nominate Richard Fairman as Treasurer made by Chairman Harper. There were no other nominations. Nominations closed.

VOTE: AYES/All Present Commissioners (6)

APPROVAL OF PREVIOUS MINUTES FROM MARCH 27, 2014

Motion to approve made by Commissioner Grecco; seconded by Roger Adriaenssens.

VOTE: AYES/All Present Commissioners (6)

PAYMENT OF CLAIMS FOR MONTH OF APRIL

Motion to approve payment of claims made by Commissioner Grecco; seconded by Vice-Chairman Schlemm.

VOTE: AYES/All Present Commissioners (6)

COMMITTEE REPORTS

ED Marra explained that the following three resolutions are done annually by the Housing Authority at its reorganization meeting. The first is the approval of the Cash Management Plan.

Finance Committee

1. Resolution #2014-14 – APPROVAL OF CASH MANAGEMENT PLAN

RESOLUTION #2014-14 *Adopting Cash Management Plan*

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

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

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

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

Definitions

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

Designation of Depositories

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

Audit Requirement

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

Authority to Invest

1. The Board of Commissioners shall pass a resolution at its first meeting of the fiscal year designating the official who shall make and be responsible for municipal deposits and investments. The Executive Director of the Housing Authority of the Town of Secaucus is so authorized.

Investment Instruments

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

Records and Reports

1. The Executive Director shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
2. At a minimum the Executive Director shall:
 - a. Keep a record of all investments.

- b. Keep a cash position record which reveals, on a daily basis, the status of the cash in its bank account.
- c. Confirm investments with the Board of Commissioners at the next regularly scheduled meeting.
- d. Report monthly to the Board of Commissioners as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

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

Signatories

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

Motion to approve made by Commissioner Grecco; seconded by Roger Adriaenssens.

VOTE: AYES/All Present Commissioners (6)

2. Resolution #2014-15 – INDEMNIFICATION RESOLUTION – CIVIL

ED Marra explained #2014-15 & 2014-16 are indemnification resolutions regarding civil and criminal occurrences. Mr. Marra asked Attorney Burke to give an overview to the new Commissioners.

Mr. Burke stated that on #15 there was a typographical error. In the first full paragraph, beginning with the word "that" on the second line towards the end it says "criminal charges". It should say "**civil**". Mr. Burke said this might have been a combination resolution as there is a bit of redundancy of #15 and it's carving out the criminal part, which is then captured in #16. He said one should be "civil" and one "criminal". The difference is the Authority is not allowed to pay or reimburse any Commissioner who's been charged in a criminal matter, but the Authority does have the right and the power to indemnify the Commissioner serving the public for no compensation in the event that Commissioner is charged with any action involving a civil matter.

ED Marra stated that perhaps in the future, #16 might have to be revised. Mr. Burke said some of it should be in #15.

Chairman Harper said he would accept #2014-15 as amended.

Motion to approve #2014-15 with corrections made by Commissioner Adriaenssens; seconded by Commissioner Schlemm.

RESOLUTION #2014-15
Indemnification Resolution-Civil

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE TOWN OF SECAUCUS:

That the Secaucus Housing Authority shall reimburse any Commissioner/ employee for the actual reasonable legal costs of successfully defending against civil charges where such charges results from the performance of the Commissioner's/ employee's duties and the Commissioner/ employee is deemed to have acted in good faith.

That the Secaucus Housing Authority shall reimburse any Commissioner/ employee for the actual reasonable legal costs of successfully defending against civil suits where such suit results from the performance of the Commissioner's/employee's duties and the Commissioner/employee are deemed to have acted in good faith.

That the Secaucus Housing Authority shall pay for all legal expenses as incurred in the event the General Counsel advises the Authority that the Commissioner/ employee in all likelihood will be found to have acted in good faith.

That this Resolution shall take effect immediately.

VOTE: AYES/All Present Commissioners (6)

3. Resolution #2014-16 – INDEMNIFICATION RESOLUTION – CRIMINAL

RESOLUTION #2014-16
Indemnification Resolution-Criminal

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE TOWN OF SECAUCUS:

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

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

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

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

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

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

Where the legal proceeding is instigated or brought by the Housing Authority of the Town of Secaucus against the Commissioner/employee.

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

A Commissioner/employee shall not be entitled to indemnification or reimbursement pursuant to this chapter unless, within ten (10) calendar days of the time he/she is served with any summons, complaint, process, notice, demand or pleading, he/ she delivers the original or a copy thereof to the Executive Director. The Commissioner/employee shall be obligated to cooperate with the Authority in the conduct of his/ her defense.

Whenever competent and disinterested legal counsel is available to the Authority through any insurance coverage, the Commissioner/employee shall be obligated to be represented by such counsel. If the Authority wishes to use the General Counsel of the Authority to defend the action, the Commissioner/employee shall be obligated to be represented by that attorney unless there is a conflict of interest. The refusal of the Commissioner/employee to cooperate with the Authority shall terminate the Authority's obligation to reimburse the Commissioner/employee.

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

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

That this Resolution shall take effect immediately.

Motion to approve #2014-16 made by Vice-Chairman Schlemm; seconded by Commissioner Grecco.

VOTE: AYES/All Present Commissioners (6)

Professional Services Committee

4. Resolution #2014-17 – CONTRACT AWARD – SUPERVISORY FILE REVIEW & INSPECTION SERVICES

ED Marra said for the past six years, the Housing Authority has put an RFP out for "the Supervisory File Review & Inspection Services". It is mandated in the Code of Federal Regulations that for the Section 8 Program, a certified person/company must come in from the outside and do a review of the files. This person/company reviews 25 random files from the Section 8 Program and they inspect 25 apartments to see if the Authority is in compliance HSQ standards. The SHA gets the results of this review. The company also reviews 25 public housing files and inspects 25 public housing units to make sure that they're in compliance with UPSC standards.

For the past four years, the same company has had the contract and what they've charged has not changed. This year only two proposals were received and the other company only sent a proposal to do inspections, which was for \$55 a unit, no figure was provided to to review the files. Mr. Marra will use the EFA Rental Resources, the same as last year.

Resolution #2014-17

Contract Award - Supervisory File Review & Inspection Services

WHEREAS, the Housing Authority of the Town of Secaucus is required to sample its program files and inspection reports to ensure that the program regulations are being followed; and

WHEREAS, the Housing Authority solicited for proposals for supervisory file review & inspection services by advertising in newspapers of general circulation; and

WHEREAS, the Housing Authority received two (2) proposals in request to its duly advertised Request for Proposal; and

WHEREAS, the proposals were received by the Housing Authority's Executive Director and reviewed by the Professional Services Committee;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the Town of Secaucus that a contract for Supervisory File and Inspection Services is awarded to:

EFA Rental Resources, LLC
P.O. Box 351
Pompton Plains, NJ 07444

in the amount of: \$50.00 per file review
 \$35.00 per unit inspection fee
 \$20.00 per re-inspection fee
 \$250.00 Informal hearing fee

BE IT FURTHER RESOLVED, that funds for this work is being made available through the Housing Authority's operating budget & Housing Choice Voucher Program.

Motion to approve made by Commissioner Fairman; seconded by Commissioner Grecco.

VOTE: AYES/All Present Commissioners (6)

Policy Committee

5. Resolution #2014-18 – ADOPTION OF PERSONNEL POLICIES & PROCEDURES

Mr. Marra said this Resolution is a little involved. Because SHA has joined the JIF, they are requiring housing authorities to have two documents: (1) Policies and Procedures Manual and (2) Employee Handbook. SHA hasn't really had a personnel policy since a union came into existence here. The last time there was a personnel policy was 1997. JIF has model policies on their web site and a model employee handbook, which you can download and then modify to fit your housing authority, staff and personnel. Why should we do this? Two main purposes are: (coming from JIF) members with updated loss control programs, which means having these policies in place, receive the standard excess liability deductible of \$10,000 per claim plus a 20 percent co-pay capped at \$25,000 and are eligible to buy down deductibles and co-insurance caps.

Members without updated loss programs will have a deductible of \$25,000 per claim plus a 20 percent co-pay with no cap. There's a financial incentive to do these. SHA was not eligible in the first year, because you had to be in the program for a year. Mr. Marra had lots of conversations about this when he got it in February, because it was a significant undertaking. Everyone got a copy of the Procedures & Policies Manual with **DRAFT** stamped on them. It is not yet representing SHA. Mr. Marra did not give you a copy of the Employee Handbook. The question tonight is, JIF wants it adopted. Mr. Burke has an entire check list he has to sign off on that's involved in this, then sent back to JIF after Mr. Burke signs it, signed by Mr. Marra in order to qualify for this. Deadline: May 1st. Mr. Marra has spoken to several people and would understand if it was necessary for you to see a complete document before you pass this resolution – not draft, fully incorporating the Housing Authority's Collective Bargaining

Agreement and other policies that SHA has, put into these booklets before you actually pass the resolution, and before Mr. Burke signs off on it. Mr. Marra needs another 6-7 days to do this, and perhaps come back on April 29th for a very short meeting to do that. Vice-Chairman Schlemm asked if both have to be done. Mr. Marra said the resolution has to be adopted, and the Handbook is part of the Personnel Policy, because the Personnel Policy refers to the handbook. This Resolution was not created by Mr. Marra. It was a model resolution offered to you by the JIF if which you change the wording to get it to be the Housing Authority. Basically, it's really referring to the Policy & Procedures Manual, but the attachment is the Employee Handbook. Mr. Marra doesn't remember in his short tenure or the past 20 years there having been a problem. Commissioner Adriaenssens asked where it all came from. Mr. Marra said JIF. They give you the model policy and you insert what you need. There's a whole section about simple things in collective bargaining agreement – vacation time distribution; what time you show up at work; what time you punch out; who wears a uniform; who doesn't wear a uniform. Vice-Chairman Schlemm asked if collective bargaining policy has any say on what SHA policies and procedures are. Mr. Marra spoke with Mr. Burke after the last meeting and most of these things are already incorporated, really management policies already.

Chairman Harper said as long as vacation times, hours are already covered. These are pretty much standardized workplace policies related to harassment, whistle-blower policies, civil rights, medical leave, and family leave. All of those things are already incorporated into the CBA or they have that right under the regular law. JIF wants to see this in a document, and obviously, that's for the housing authority's protection. Joe, Jake and Mr. Marra went for Management Supervisory Training, but JIF also wants you to offer anti-harassment training to all personnel. SHA is a very small group. Everyone can come in, sit there and watch the video for 45 minutes and they've accomplished the harassment policy, to be done every year. SHA's group gets smaller every year, but it doesn't change. JIF is very, very methodical. They want things done a certain way. Mr. Marra put the 12-page memo dated February 2014 in your booklet, which includes Open Public Meetings Policy, driver's license policy, political activity policy. HUD has guidelines also. So many are already in place, but this codifies it. A short meeting could be held with just four Commissioners, taking just a few minutes

Chairman Harper said he's available for Tuesday, April 29th. Commissioner Adriaenssens said after three is good. Mr. Burke said it cannot be done on the telephone. Commissioner Fairman said he's available also.

A motion was made by Commissioner Schlemm to table #2014-18 this evening.

Building & Grounds Committee

6. Resolution #2014-19 – ELECTRONIC SECURITY UPGRADE CHANGE ORDER

Mr. Marra gave each Commissioner two memos explaining the status of this project. Attached to the memorandum is a punch list, which was completed today. ED Marra is seeking a change order for \$6,484 for the installation of six wireless cameras to be placed in the elevators of the three buildings. Please see below the reason for the change from coaxial to wireless. A late amendment to that change order, as a result of Friday's walk through is an additional \$2,090 for the installation of a camera in the entrance to 600 County Avenue that was not included on the original drawings and two monitors, one for the main office and one for the maintenance office at Kroll Heights.

RESOLUTION 2014-19 CHANGE ORDER

This change order seeks to install wireless cameras in all six elevators located at the three SHA properties. The original specification had travel and coaxial cable being installed in all six elevator cabs. However, after a visit from a ThyssenKrupp technician to confirm that this process could be done in all six elevators, we were told that ThyssenKrupp's sales and service department would have to send us a proposal. This process took 14 days in order to procure this \$13,000 proposal (see attached). In addition, the ThyssenKrupp representative told me that this proposal was only for one elevator per building and would have to be modified for all six elevators. Therefore, after consultation with William Snyder, Modernization Coordinator, John Hall of TSG Solutions, and a brief discussion with the Buildings & Grounds Committee (I did not have the cost for the wireless cameras at that meeting) at our last meeting, I am recommending that the SHA Board of Commissioners approve these change order for the wireless camera and the installation of an additional camera at Impeveduto Towers.

Motion to approve #2014-19 made by Commissioner Grecco; seconded by Commissioner Kroll.

2014-19

Approval of Change Order

Whereas, the Housing Authority of the Town of Secaucus has entered into a contract for the installation of an Electronic Security Upgrade involving security cameras and access controls for the Authority's three properties; and

Whereas, the contractor has submitted a change-order for a change in the scope of work which has been reviewed and approved by the project consultant TSG Solutions, Inc.;

Now Therefore Be It Resolved by the Board of Commissioners of the Housing Authority of the Town of Secaucus that Change Order #1 with the contract with SMS Building Systems, LLC is hereby approved and the contract amended as follows:

Original Contract	\$104,683
Change-Order #1	\$ 6,484

percent of monthly income. The average is to spend 30 percent of their monthly income; he can only approve up to 39 percent.

EXECUTIVE DIRECTOR'S REPORT

Summer Intern

ED Marra said everyone has an application and information re: New Jersey NAHRO is offering funds to hire summer interns. Commissioners have received a resume of a resident of Secaucus in her third-year of college. The plan is to submit her documents, letters of recommendations, transcript, etc. to be an intern in the Housing Authority for the summer. They would pay half of the person's salary for eight weeks, having to make \$12/hour. SHA would pay \$6/they would pay six. Mr. Marra anticipates keeping her for a few extra weeks. The memo shows what SHA would be paying, what NAHRO would pay and for 378 hours, the actual rate for SHA would be \$7.56. Some people are taking extended vacations, so the interim would be good in the office. She speaks Spanish, which is helpful with residents and people coming in for applications. Commissioner Fairman noted she actually volunteered and worked in the building. Chairman Harper said SHA has had good experiences with interns before, not with NAHRO, but that would help with the cost. Commissioner Adriaenssens asked if there was a posting for this. ED Marra said she was recruited by a staff member, because she had a history in the building.

Capital Funding – The Elms Bathrooms

ED Marra spoke about 2014 capital fund for bathroom renovation at The Elms and 2015 capital funds for renovation there also. The Town of Secaucus submitted an application to the County's community development block grant program for \$180,000, which we'll know by June if we got some, all or none of it. Lee Mestres of Habitecht Architect received proposals from Bathfitter & Best Bath. The work incorporated in Bathfitter is more comprehensive as they will do everything but the flooring. No tub change, not a stall, but Bathfitter would come in and do one in the building for \$4,476.16. SHA would use their own vendor to change flooring so all could see what a model bathroom looks like for around \$5,000. A bid would still be needed, but everyone could decide what works and what doesn't work. Mr. Marra is talking about it now because one tenant is leaving a one-bedroom apartment in The Elms effective April 30th and we would have free access to the apartment in May to do the renovation. The flooring would get done by us. Toilet, vanity, sink would be changed. The vanity doesn't have a light now. As much as SHA wanted to do a demolition of a tub, it's possible that might not be able to be done, depending on amount of money received. The architect has been in many housing authorities and said tubs in The Elms are in good shape. Money might not be available even with using two years of capital fund and money from County. Commissioner Schlemm asked about leaks around toilets. Mr. Marra said they would know better after wall was removed. Behind walls where toilet and vanity are, over the years dampness has gotten back there through leakage. The toilet is a rear flush mount. Behind

those walls the studs have decayed, having been done in other renovations. A carpenter has to be called for that small section. This new project would not replace the door, linen closet door or linen closet shelves. As compared to Best Bath, which is only changing the tub because they sub out the rest of the work, Bathfitter looks better. Mr. Marra asked the Commissioners if the \$5,500 for a model was okay with them. Last year, the cost was around \$6,500 per unit including demolition of tub, heating lamps, some electrical, doors. The architect's idea was to show SHA what one would like this way.

One issue is there is an asbestos report that exists on that building. Very, very tiny amounts of asbestos behind the tile, wall, tub and flooring. When you hire a contractor to renovate the whole thing, all that asbestos has to be incorporated into cost to be cleaned out. Bathfitter doesn't remove the tile, they insert over the tile, so you're removing that expense going forward. Last year, the tile was being ripped up, floor, tile down off the wall, and paying to have all asbestos appropriately removed. One Commissioner asked how long Bathfitter guarantees their work. Mr. Marra said Bathfitter has about a 20-year guarantee. Chairman Harper thought the model would be a good idea. Vice-Chairman Schlemm said it's a good way to show tenants what it will look like and get feedback. He'd also like to get the town plumber involved and get some input from him. Commissioner Adriaenssens asked what would be the cost approximately. Mr. Marra said to do 100 bathrooms it would fall between 625 and \$675,000 or \$6,500 a bathroom.

Old/New Business – nothing at this time

Chairman Harper updated everyone on the May 1st dinner in memory of Commissioner Costantino. Director Marra is working with local restaurants and at a minimal cost to the Authority (\$5.00) a nice Italian dinner will be served, with all proceeds going to cystic fibrosis, a fund that Commissioner Costantino's family supports.

Remarks of Citizens

MARGARET KEAN said there are three men working in this building doing an excellent job and ladies working in the office also. (Applause by all present.)

Adjournment

Motion to adjourn made by Commissioner Grecco; seconded by Commissioner Adriaenssens.

VOTE: AYES/All Present Commissioners (6)

Respectfully submitted,
Deborah L. Alvarez, Transcriber