

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

April 26, 2018

This is a condensed transcription of the taped minutes as taken on Thursday, April 26, 2018 at Kroll Heights, 700 County Avenue, Secaucus, New Jersey.

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

**ROLL CALL**

Present: Chairperson Michael Schlemm  
Vice-Chairman Michael Harper  
Commissioner Antonio Suarez  
Commissioner Carmen Rivera

Also Present: Executive Director Christopher Marra  
Deputy Executive Director Jake Naszimento  
Charles D'Amico, Esq., Counsel to the Authority

Absent: Commissioner Richard Fairman  
Commissioner Michael Grecco  
Commissioner Patricia Mondadori

**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 on December 16, 2017. 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**

(The flag salute was led by Vice Chairman Harper)

## **ANNUAL REORGANIZATION MEETING**

ED Marra announced that tonight was the annual reorganization meeting. The Board members would have to nominate and vote upon three positions – Chairman, Vice Chairman, and Treasurer.

Commissioner Michael Harper nominated Commissioner Michael Schlemm for Chairperson. Commissioner Antonio Suarez seconded the nomination. ED Marra asked for any other nominations. None were offered. A vote for chairperson was called for. All four members voted for Commissioner Schlemm as Chairperson.

VOTE: AYES/All Present Commissioners (4)  
Absent: Mondadori/Grecco/Fairman

Chairman Schlemm then called for nominations of Vice Chairperson. Commissioner Suarez nominated Commissioner Harper as Vice Chairperson. The nomination was seconded by Commissioner Rivera. Chairperson Schlemm asked for any other nominations. None were offered. A vote for vice chairperson was called for. All four members voted for Commissioner Harper as Vice-Chairperson.

VOTE: AYES/All Present Commissioners (4)  
Absent: Mondadori/Grecco/Fairman

Chairman Schlemm then called for nominations for Treasurer. Commissioner Harper nominated Commissioner Suarez as Treasurer. Chairperson Schlemm seconded the motion. Chairperson Schlemm asked for any other nominations. None were offered. A vote for Treasurer was called for. All four members voted for Commissioner Suarez as Treasurer.

VOTE: AYES/All Present Commissioners (4)  
Absent: Mondadori/Grecco/Fairman

## **APPROVAL OF PREVIOUS MEETING MINUTES – Closed Session February 22, 2018 and Regular and Closed Session from March 22, 2018 meetings**

Chairperson Michael Schlemm noted that he was not at the closed session meeting for February 22.

Commissioner Michael Harper made the motion to accept all three sets of meeting minutes. Commissioner Suarez seconded the motion.

VOTE: AYES/All Present Commissioners (4)

Absent: Mondadori/Grecco/Fairman

Abstain: Chairperson Michael Schlemm, February 22, 2018 Closed Session

### **PAYMENT OF CLAIMS – April 2018**

ED Marra introduced the bill list for April

Motion to accept the Payment of Claims made by Commissioner Harper; 2<sup>nd</sup> by Commissioner Suarez.

Discussion: Chairperson Schlemm about Door Jockey bill. ED Marra stated that this bill was for the company to replace the mechanism for the front office door at 700 County Avenue. The mechanism makes the door handicapped accessible and had not been working properly for more than one year.

Chairperson Schlemm also asked why are there two exterminator bills. ED Marra answered that A Pest Plus was hired to remove a bedbug infested mattress from #307 in The Elms. E&G is our regular extermination treatment, as well as bedbug treatment in #307. ED Marra stated he did not seek reimbursement for the removal of the bed, as the resident leaving #307 was sick and moving to Florida. If a resident remains in the unit, we normally have them pay for the cost, even in small installments.

VOTE: AYES/All Present Commissioners (4)

Absent: Mondadori/Grecco/Fairman

### **FINANCE COMMITTEE**

ED Marra stated that before get to the items on the agenda, he noted that he had prepared a memo detail listing of what the Housing Authority's submitted to the insurance company for the 1<sup>st</sup> Floor flood at The Elms on January 4, 2018. It totaled \$32,829.97. I also had to sign a Certificate of Satisfaction for Rapid Recovery and submit back to the insurance company.

ED Marra then went into reports and called on the first two resolutions 2018-15 and 2018-16 which are done each year at our reorganization meeting.

Motion to accept the Resolution 2018-15 made by Commissioner Harper; 2<sup>nd</sup> by Commissioner Suarez.

**RESOLUTION #2018-15**  
***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, Bogota Savings Bank, TD Bank, Santander 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.

VOTE: AYES/All Present Commissioners (4)

Absent: Mondadori/Grecco/Fairman

Motion to accept the Resolution 2018-16 made by Commissioner Harper; 2<sup>nd</sup> by Commissioner Suarez.

**RESOLUTION #2018-16**  
***Indemnification Resolution-Civil***

WHEREAS, N.J.S.A. 59:10-4 permits local public entities to indemnify public employees and officials from damages from civil violations of Federal or State law as long as the governing body believes the acts or omissions did not constitute actual fraud, actual malice, willful misconduct or intentional wrong; and

WHEREAS, the Board of Commissioners of the Secaucus Housing Authority believe that this indemnification should include payment of any deductible from any insurance coverage.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners do hereby grant all commissioners/employees for the Secaucus Housing Authority indemnification in accordance with N.J.S.A.59:10-4 for any and all actions taken on behalf of the Authority for the year beginning April 1, 2018 through March 31, 2019.

VOTE: AYES/All Present Commissioners (4)

Absent: Mondadori/Grecco/Fairman

**UPDATE on PBV Funding**

ED Marra went over the memo on the Authority's experience to date of receiving both HAP and Administrative fees under the new funding system of Project Based Vouchers. The memo outlined how the Authority is basically receiving approximately \$73,349 each month in the form of a HAP and \$23,532 for administrative fees. The Authority had not yet received all of its administrative fees at the writing of the memo. There was some discussion about why HUD sent three payments in March, but ED Marra could not provide an answer to that question. He will follow up in future months to keep the Commissioners updated on the payments.

**Bank Account Balances and Monthly Savings Report on Electric Consortium with NJSEM**

ED Marra informed commissioners that both the monthly bank account balances and electric savings report were enclosed in their packet. The bank account balance report now included a new feature that broke the funds into three categories, Operating, Investments, and Certificate of Deposits.

## **Balance remaining from 2007 Leveraging Account**

ED Marra reported that when the Authority closed on its loan with Bogota Savings Bank, a good portion of that loan was intended to pay off the Leveraging Loan from 2007. Those bonds were paid off in November 2017. However, the Authority continues to receive a bank statement from Wells Fargo stating that there is approximately \$3,693 remaining in our account. ED Marra contacted Wells Fargo about drawing that balance down, but was told that he would have to contact the New Jersey Housing Mortgage and Finance Agency in order to have access to those funds. ED Marra stated he would be writing to Joseph Heath requesting the NJHMFA release those funds at the earliest date to the SHA. He indicated he would keep the Commissioners updated.

## **Operating Reserve Litigation – Update**

ED Marra reported that he received an e-mail on Monday, April 2 from the law firm handling the recapture lawsuit. The e-mail read that the firm had filed the Complaint on November 15, 2017. Since then the Government had requested and received two extensions to file its response to the Complaint. Accordingly, the Government's response is now due on April 18. We will let you know if the Government files its response by then. ED Marra reported that as this afternoon he had no new update from PHADA/NAHRO's attorney.

## **PROFESSIONAL SERVICES**

ED Marra reported that there was not business this evening.

## **PERSONNEL COMMITTEE**

ED Marra reported that the Personnel Committee will deliver a report to the full board at the conclusion of the meeting in Closed Session concerning the status of negotiations with the Union. The Board may want to act on it tonight.

## **POLICY COMMITTEE**

ED Marra reminded board members that the Authority would have to redo its Section 8 Administrative Plan. It needed to be both updated and expanded to include a section or chapters on the PBV rental units that took the place of the public housing units.

In addition, ED Marra distributed the 2018 Income Limits for PBV Units and the HCV Program. They have significantly increased over last year.

## **BUILDINGS & GROUNDS COMMITTEE**

ED Marra announced that he soon would be releasing a RFP for A/E services for three projects at The Elms. This would include the replacement of 100 breaker boxes in each unit 2) the Installation of 175 P-Tac units 3) the sealing air conditioner sleeve and painting of apartments.

Also included in the meeting packet was the Notice to Proceed letter to More Roofing for roof removal and replacement at The Elms and 600 County Avenue.

ED Marra also reported that More Roofing submitted a request to Lee Mestres our architect to substitute the Carlisle roofing system with a company called Versico. What is enclosed are e-mail between myself, Lee Mestres and the owner of More Roofing indicating our dissatisfaction with that request/action. As per the specification, contractors are supposed to submit alternates during the course of the bidding process to ensure an equal playing field. I am have requested that Mr. D'Amico review this information and put together a letter indicating the Authority's dissatisfaction as well as disapproval of this action.

ED Marra also spoke about the enclosed e-mail from Coppa Montalbano that includes Brahma Construction's schedule for the elevator upgrade at The Elms. ED Marra stated that he reviewed the schedule and it goes on until mid-September, when it should end in mid-August. CMA representatives will contact Brahma to see if they can shorten up the schedule

Finally, ED Marra refreshed everyone's memory about Greener By Design and their attempt to create a micro grid that includes county facilities on County Avenue, SHA facilities on County Avenue, and Secaucus Municipal buildings. They came last week and walked through 600 and 700 County Avenue. They eventually will take into account 777 Fifth Street as well.

## **HOUSING CHOICE VOUCHER PROGRAM**

Jacob Naszimento, Deputy Executive Director gave report on the program. He stated that for the month of April the total amount of available funds spent was \$182,138.74.

We are decreasing the issuance of new vouchers as the new payment standards have increased our expenditures for existing families. We currently have 5 applicant families searching in Secaucus & 5 applicant families who have elected to port their voucher to another authority.

DED Naszimento also spoke about the Authority's experience with HUD officials going over the PILOT program UPCS-V. The Authority had 3 HUD officials onsite during Tuesday, April 17 to conduct five inspections using this new protocol. HUD announced this program in May of 2016 and have been slowly rolling it out



throughout the country. It is an attempt to replace the HQS inspection program. DED Naszimento noted to the Board that enclosed with their package as a FAQ from the HUD website on this program. This inspection program also has an APP and the HUD officials requested that we do some amount of inspections using both our PHA-WEB app and also their APP.

## **CORRESPONDENCE**

ED Marra reminded everyone that they needed to submit their Financial Disclosure form online no later than June 30.

## **NEW BUSINESS**

Finally, ED Marra noted that he had included an excerpt from a GAO report entitled Rental Assistance Demonstration : **HUD Needs to Take Action to Improve Metrics and Ongoing Oversight**. The GOA provided five recommendations to HUD at the conclusion of this report.

ED Marra reported that there was no other business and with no one in the audience, he reminded Chairman Schlemm that the Board needed to go into Closed Executive Session to discuss matter related to the Collective Bargaining.

Chairman Schlemm asked for a motion to go into Closed Executive Session. The motion was made by Vice Chairperson Harper and seconded by Commissioner Suarez.

The resolution below was read:

### **RESOLUTION 2018-17 SECAUCUS HOUSING AUTHORITY AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Secaucus Housing Authority to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

**WHEREAS**, the Secaucus Housing Authority has determined that   1   issue is permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance shall be discussed during an Executive Session to be held on March 22, 2018 at 7:40 P.M, and

**WHEREAS**, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which **the number** of issues to be privately discussed that fall within that exception shall be written, and after each exception is a

space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

1

**“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body”** The collective bargaining contract(s) discussed are between the Board and

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**WHEREAS**, the length of the Executive Session is estimated to be 30 minutes after which the public meeting of the Secaucus Housing Authority shall (circle one) reconvene and immediately adjourn or reconvene and proceed with business.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Secaucus Housing Authority will go into Executive Session for **only** the above stated reasons;

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public’s interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion	Estimated Date	Necessary Occurrence
CBA Negotiations	April 26, 2018	Contract Negotiations

**BE IT FURTHER RESOLVED** that the Secretary, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will privately discussed.

**BE IT FURTHER RESOLVED** that the Secretary, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.

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Michael Schlemm, Chairperson

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION APPROVED BY THE BOARD OF COMMISSIONERS OF THE SECAUCUS HOUSING AUTHORITY AT ITS PUBLIC MEETING HELD ON April 24, 2018.

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Christopher Marra, Secretary

VOTE: AYES/All Present Commissioners (4)  
Absent: Mondadori/Grecco/Fairman

### **RETURN FROM CLOSED EXECUTIVE SESSION**

At approximately 8:10 p.m. Commissioner Suarez made a motion to come out of Closed Executive Session and Commissioner Rivera seconded the motion. The motion was adopted unanimously

Chairman Schlemm then introduced Resolution 2018-18 and read the entire resolution.

### ***Resolution 2018-18 (Approval of Collective Bargaining Agreement)***

Whereas, the collective bargaining agreement with the employees of the Housing Authority of the Town of Secaucus expired on 3/31/2018; and

Whereas, the Personnel Committee has met with the union representatives in order to negotiate a new contract with the employees, and

Whereas, the Personnel Committee and the Secaucus Public Employees Association have arrived at an agreement on all personnel issues;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the Town of Secaucus that the collective bargaining agreement dated 4/1/2018 through 3/31/2021 be hereby ratified;

BE IT FURTHER RESOLVED that all non-union employees (except for the executive director and deputy executive director), shall receive the same 3.0% salary adjustment, for each year of the contract as the union employees and shall be bound by the same working conditions and benefits as the union employees;

Commissioner Suarez made the motion to adopt the resolution and Commissioner River seconded the motion. Chairman Schlemm asked for roll call vote. The resolution was adopted unanimously.

VOTE: AYES/All Present Commissioners (4)  
Absent: Mondadori/Grecco/Fairman

### **ADJOURNMENT**

The meeting was adjourned at 8:20 p.m. with a motion from Commissioner Rivera and a Second from Commissioner Harper. All voted in favor.

Submitted by Christopher Marra