

HOUSING AUTHORITY OF BERGEN COUNTY  
One Bergen County Plaza, FL 2  
Hackensack, NJ 07601

MINUTES OF THE MEETING OF DECEMBER 30, 2013

THESE MINUTES ARE NOT VERBATIM BUT ARE INSTEAD A SYNOPSIS OF WHAT TRANSPIRED AT THE REGULAR MEETING OF DECEMBER 30, 2013.

PRESENT:

Chairman Bruce Walenczyk  
Commissioner Kay Nest  
Commissioner Steven Kopf  
Commissioner Mark DiPisa (tardy)  
Commissioner Joanne English Rollieson  
Domingo Senande, Executive Director  
Lynn Bartlett, Deputy Director  
Charlotte Vandervalk, Director of Development  
Terrence Corriston, Esq., Counsel  
William Katchen, CPA  
Esther Gatria, Human Resources Manager  
Heather Wei, Executive Assistant

ABSENT:

Commissioner Andrew Rudman  
Julia Orlando, Director, BC Housing, Health & Human Services Center

NOTICE OF MEETING

Mr. Domingo Senande read the following statement:

Consistent with the Byron M. Baer Open Public Meetings Act: P.L.1975c231, all meetings of public bodies shall be open to the public at all times. Notice of the regular meeting was provided to The Record and the Jersey Journal on January 19, 2013, and was provided to the County Clerk for posting at the County Administration Building, at which time the date, time and place were set forth. The minutes of the regular meeting will be available following the next regularly scheduled meeting.

The meeting was called to order at 5:20 p.m.

PLEDGE OF ALLEGIANCE

Chairman Walenczyk led the Board in the Pledge of Allegiance.



## **Development:**

Mr. Senande reported that the MLK building is completed and that the signage would be going up shortly. There are tenants ready to move into the units. The CO will be in hand shortly.

Ms. Vandervalk reported that the HABC is currently in different stages of discussions with 10 different municipalities for possible affordable housing projects, which if they all come to fruition could be over 200 units of housing.

Ms. Vandervalk further reported on her meeting with the NJHMFA to introduce them to four potential projects the HABC/HDC wish to develop.

Ms. Vandervalk also reported on the Emerson site. She explained that the American Legion initially didn't seem interested in keeping the building. However, they have since recognized the importance of the structure, parts of which date back to 1770.

Ms. Vandervalk further reported that HUD has asked the HABC to participate in the national "Innovation in Affordable Housing Student Design and Planning Competition." HUD will select cross-discipline teams of graduate students from around the country to visit the Emerson site so that they can then get together and form a plan for the site.

Mr. Senande reported that the RAD applications have been submitted to HUD, but he does not expect a response back for some time. He further reported that on the agenda was a resolution amending the previous Yardi resolution. The original resolution did not include the cost of the contract.

Chairman Walencyk requested further explanation of Resolution 2013-120 which opposes Assembly Bill No. 4147. The Bill would require certain contract bid advertisements to contain certified cost estimate ranges, would specify the grounds for the rejection of all bids and would require a 50% guaranty not to exceed \$100,000.00. Mr. Senande explained that the HABC performs cost estimates before going out to bid so it is known what a reasonable amount of money is to spend on a certain project and can therefore reject a bid based on that information. Mr. Senande stated that the Bill would threaten the process of garnering the best possible price and would also add an undue financial burden on contractors, the cost of which would be passed on to HABC by way of higher pricing.

## **ATTORNEY'S REPORT**

Mr. Corrison addressed Resolutions 2013-128 and 2013-129 which are approving amendments to the HDC By-Laws and Certificate of Incorporation.

By way of background, Mr. Corrison stated that the HDC was established in 1976 for the purpose, at the time, of building Brookside Gardens in Bergenfield. He further explained

that as per a recent discussion with Diane Johnson, recently retired HUD Director of Public Housing, in the 1970's there were no real methods, aside from Public Housing, for housing authorities to build affordable housing. So, HUD came up with a method by which housing authorities (which typically aren't eligible for most non-Public Housing funding) could spearhead development that would provide additional housing for the elderly through a program known as Section 811B. However, apparently the funding was available only for "instrumentality" corporations of public housing agencies, such as housing authorities. As such, HDC was originally formed as an instrumentality of the HABC to conform with this program.

Mr. Corrison added that subsequently, the HDC developed numerous other non 811B projects. An issue was raised in the 1990's because under the requirements of the Community Development program, which funded numerous of the HDC projects, housing authority instrumentalities were not eligible to receive funds. Therefore, the HDC amended its Bylaws to reduce the number of HABC members to three and tried to make it more independent from the HABC. However, at the time nobody was aware that changing from an instrumentality may make the ownership of Brookside non-compliant. Mr. Corrison further explained that Mr. Katchen recently raised the issue that under the terms of financing for Brookside, the agency should be an instrumentality. On the other hand, to be eligible for other funding, it should not be an instrumentality. A proposed solution is to pay off the debt on Brookside, thereby removing any obligation of the HDC to be an instrumentality. He explained that the proposed amendments to the By Laws and Certificate of Incorporation would make it clear that the HDC is not an instrumentality and hopefully enable the HDC to be eligible for additional sources of funding.

### **PUBLIC COMMENTS**

A motion to open the meeting to the public was made by Commissioner English Rollieson and seconded by Commissioner DiPisa.

VOTE:           AYES:           All Present Commissioners (5)  
                  ABSENT:       Commissioner Rudman (1)

No Public Comments

A motion to close the meeting to the public was made by Commissioner English Rollieson and seconded by Commissioner Nest.

VOTE:           AYES:           All Present Commissioners (5)  
                  ABSENT:       Commissioners Nest and Rudman (1)

### **CONSENT AGENDA**

A motion to approve the consent agenda was made by Commissioner Kopf and seconded by Nest.

VOTE:           AYES:           All Present Commissioners (5)  
                  ABSENT:       Commissioner Rudman (1)

## **RESOLUTIONS: CONSENT AGENDA**

- A. **Resolution 2013-117**  
Resolution approving the routine expenditures for the HABC for the period of 11/16/13 – 12/18/13.
- B. **Resolution 2013- 118**  
Resolution approving the routine expenditures for the HDC for the period of 11/16/13 – 12/18/13.
- C. **Resolution 2013-119**  
Resolution authorizing the submission to the Local Finance Board of NJ the HABC audit.
- D. **Resolution 2013- 120**  
Resolution opposing Assembly Bill No. 4147 which would require certain contract bid advertisements to contain certified cost estimate ranges, would specify the grounds for the rejection of all bids and would require 50% guaranty bids not to exceed \$100,000.00.
- E. **Resolution 2013- 121**  
Resolution approving a contract with Alliance Commercial Pest Control, Inc. for monthly exterminating services and bed bug exterminating on an “as needed” basis at various locations.
- F. **Resolution 2013-122**  
Resolution approving a contract with Total Fire Safety for fire suppression system testing, inspection and repairs at various locations for a period of two years.
- G. **Resolution 2013- 123**  
Resolution approving a contract with Total Fire Safety for fire alarm system testing, inspection and repairs at various locations for a period of two years.
- H. **Resolution 2013- 124**  
Resolution approving change order #3 for A/E Professional Services for remedial investigation at David F. Roche Apartments.
- I. **Resolution 2013- 125**  
Resolution approving submission of Rental Assistance Demonstration (RAD) program applications with the U.S. Department of Housing and Urban Development (HUD) for Five (5) AMPS and certifying an agreement to comply with all requirements of the program and PIH Notice 2012-32.
- J. **Resolution 2013- 126**  
Resolution amending Resolution 2013-111 to reflect the annual fee amount of the contract with Yardi Systems, Inc. for cloud based and centralized web-based computer software system.

K. **Resolution 2013- 127**

Resolution approving Change Order #1 to authorize EMG to provide professional services to upgrade all Public Housing AMPS to RAD Standard.

L. **Resolution 2013- 128**

Resolution approving the amendments to the Housing Development Corporation of Bergen County's By Laws.

M. **Resolution 2013- 129**

Resolution approving the amendments to the Housing Development Corporation of Bergen County's Articles of Incorporation.

Commissioner DiPisa moved that the meeting be adjourned. Commissioner English Rollieson seconded the motion.

VOTE:            AYES:            All Present Commissioners (5)  
                     ABSENT:        Commissioner Rudman (1)

Meeting adjourned at 6:18 p.m.  
Minutes prepared by: Heather Wei