

HOUSING AUTHORITY OF BERGEN COUNTY
One Bergen County Plaza – 2nd Floor, Hackensack

MINUTES OF MEETING OF JANUARY 24, 2019

THESE MINUTES ARE NOT VERBATIM BUT ARE INSTEAD A SYNOPSIS OF WHAT TRANSPIRED AT THE REGULAR MEETING OF JANUARY 24, 2019 OF THE HOUSING AUTHORITY OF BERGEN COUNTY BOARD OF COMMISSIONERS

PRESENT: Chairman Daniel Ortega
 Commissioner Danielle Peterson
 Commissioner Junior Hernandez
 Commissioner Steven Weinstein

 Lynn Bartlett, Executive Director
 Terrence Corriston Esq., General Counsel
 Kevin McCann, Director of Finance
 Esther Gatria, Human Resources Manager
 Julia Orlando, BCHHH Director
 Vincent Bufis, Field Operations Manager
 John Biale, HDC Director of Development

ABSENT: Commissioner Peter Caminiti, Sr.
 Commissioner Joanne English Rollieson
 Commissioner Bob Taschler

CALL TO ORDER

Chairman Ortega called the meeting to order at 5:47pm and Executive Director, Lynn Bartlett, read the following statement:

Consistent with the Bryon 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 Bergen Record and posted on the Authority website on December 31, 2018 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.

PLEDGE OF ALLEGIANCE

ROLL CALL

Upon roll call Commissioners Caminiti, English Rollieson, Hernandez, Ortega, and Taschler were present; Commissioners Peterson and Weinstein were absent.

REORGANIZATOIN

The meeting was turned over to HABC Counsel, Terry Corriston for the election of officers.

Mr. Corriston opened up the floor to nominations for the Chairperson. Commissioner Hernandez nominated Daniel Ortega, Commissioner Caminiti seconded the motion. There were no other nominations for Chairperson.

ROLL CALL VOTE

Commissioner Caminiti - YES
Commissioner English Rollieson - YES
Commissioner Hernandez - YES
Commissioner Ortega - YES
Commissioner Taschler – YES

Mr. Corrison then opened the floor to nominations for Vice-Chairperson. Commissioner Hernandez nominated Steven Weinstein, Commissioner Caminiti seconded the motion. There were no other nominations.

ROLL CALL VOTE

Commissioner Caminiti - YES
Commissioner English Rollieson - YES
Commissioner Hernandez - YES
Commissioner Ortega - YES
Commissioner Taschler – YES

Mr. Corrison then solicited nominations for Treasurer. Commissioner Hernandez nominated Joanne English-Rollieson, Commissioner Caminiti seconded the motion. There were no other nominations.

ROLL CALL VOTE

Commissioner Caminiti - YES
Commissioner English Rollieson - YES
Commissioner Hernandez - YES
Commissioner Ortega - YES
Commissioner Taschler – YES

The meeting was then turned back over to Chairman Ortega who then made a motion to appoint Commissioners Caminiti, Weinstein and Ortega to the Board of Trustees for the Housing Development Corporation of Bergen County (HDC), this was seconded by Commissioner Hernandez, and passed unanimously.

Chairman Ortega then made a motion appointing Commissioners English-Rollieson, Hernandez and Ortega to the Community Housing Resource Board of Southern Bergen County (CHRB) the owner entity of Lehmann Gardens. The motion was seconded by Commissioner Taschler and passed unanimously.

Chairman Ortega made a motion appointing Commissioners Taschler, Weinstein and Ortega to the Personnel Committee of the HABC. The motion was seconded by Commissioner Caminiti and passed unanimously.

Chairman Ortega appointed Commissioners Hernandez and Peterson to the Tenant Relations subcommittee of the HABC, this was seconded by Commissioner Caminiti and passed unanimously.

MINUTES

Commissioner Ortega asked for a motion to approve the regular meeting minutes of the December 2018 Regular Meeting of the HABC. Motion was made by Commissioner Caminiti and seconded by Commissioner Taschler. The motion carried unanimously.

EXECUTIVE DIRECTOR REPORT

Director Bartlett stated that owing to the fact of the recent circulation of the Executive Director report that she had no additions to report and asked if there were any questions. Seeing there weren't any Ms. Bartlett then discussed the current Federal government shut down relative to HABC operations.

Ms. Bartlett pointed out HUD had fully funded all programs for January and February 2019. She also explained that current cash on hand coupled with the agency's HUD Held Reserves (HHR) to pay program expenses. Ms. Bartlett reminded all of the HUD email included in the Board report explaining Authority access to HHRs to pay HAP. She explained that should the shutdown continue without resolution the Board would need to set policy or provide direction to which program expenses would be prioritized for payment during the shutdown.

Ms. Bartlett stated that Administrative Reserves were currently sufficient to meet payroll expenses in the short term.

Ms. Bartlett explained that other public housing authority directors as well as national housing associations have counseled that tenant protections should be the priority. In states like New Jersey that are strongly tenant protective the Authority leadership will need to identify spending priorities relative to housing assistance payments.

She further explained information on HABC's present full funding has been shared on all the Authority's media sources (website, Facebook), informing landlords and participants that January and February payments will be made on time. Additionally, contact information for local Federal officials are provided on these sites for any landlord and participant to inform the elected officials of any difficulties or hardships they are experiencing due to the government shut down.

Should the shut down continue PHAs are exploring the possibility of Lines of Credit local banks to ensure continued normal operations. These are considerations in states that do not have tenant protections.

Ms. Bartlett informed the Board that the RAD conversion of the HABC formerly public housing buildings are not in jeopardy of discontinued operations owing to the fact that the Authority manages the rental assistance for the buildings.

Commissioner English-Rollieson asked if the shut down is prolonged and landlords do not receive rental assistance are they permitted to use the security deposit as payment of rent. Ms. Bartlett answered, in accordance with the law, that they may not.

Commissioner Taschler inquired if the Letters of Credit are issued to Landlords or the Authority. Ms. Bartlett explained that it is a Line of Credit, and it would be an Authority seeking this temporary source of funding to ensure continue program operation. Commissioner Taschler then asked if Lines of Credit are available to the landlord. Mr. Corrison that they are privately through a bank but not through the Federal government. Commissioner Taschler asked how much activity the Authority has seen in volume of phone calls from landlords regarding the issue. Ms. Bartlett has explained that there hasn't been any since January and February are fully funded and on time.

Commissioner English-Rollieson asked what happens to minimum rent tenants (the client with no income and the HAP is the full payment of the tenants rent). Mr. Corrison explained that the tenant can not be evicted for non-payment of the HAP. The owner would have to sue the Authority for breach of the HAP contract and non-payment of the HAP. They would not be able to bring the action until it happens in March. He further explained that if the shutdown continues through March and April there will be much

bigger problems nationally beyond landlords that didn't get HAP. So far, thankfully, this has not been an issue.

Mr. Corrison explained that there is case law in New Jersey that the tenant is not responsible for the assistance payment.

Commissioner Taschler inquired as to whether this is being communicated properly with our clients. Ms. Bartlett said that the Authority has begun, and that the information and message will change as the situation develops. Commissioner English-Rollieson stated that she is trying to understand how to handle this. Ms. Bartlett informed all Commissioners that they should direct anyone with questions to the Authority; the Authority has all the resources – staff, website, federal links – to be able to address any inquiry most appropriately.

Ms. Bartlett reiterated that none of this information is currently being circulated since January and February are being paid in full and on time.

Commissioner Hernandez expressed concern for updated and real time information being provided to all Commissioners so they understand and respond to clients. Ms. Bartlett asked if there is a better way than email to provide updates that Commissioners provide that information, otherwise she will provide informational updates via email as necessary.

Ms. Bartlett then introduced HABC Fee Accountant, Bill Katchen, to present the 2019 HABC Budget for introduction to the State to review, make comment and approve for the Authority to adopt in March. Mr. Katchen explained that this budget anticipates a use of surplus of \$1.093 million. He explained that there are two types of unrestricted surplus, one is HAP that disbursed but not spent yet on HAP and one for administrative/maintenance purposes. This budget presumes HHR surplus of \$500,000 in admin.

Mr. Katchen explained that the narrative portion of the budget has changed from years past. This is the first year that all the revenue and expenses of the HHH are reflected on the budget, rather than just salaries in years past.

Chairman Ortega thanked Mr. Katchen for his time and explanation of the budget. He also explained that Executive Director Bartlett would remain in communication with the Board relative to the shut down. He directed that Commissioners should direct any constituent to the Authority.

At this time Commissioner Caminiti had a prior commitment and had to leave the meeting early.

ATTORNEY REPORT

Mr. Corrison reported that there continue to be tenant matters of concern, creating the same problems. Other than that, there was a matter pending, a former Section 8 participant sued the Authority for termination, insurance counsel handled the matter and it was dismissed.

He stated that the HDC was purchasing another affordable condominium under the repurchase provisions of the deed to flip and ensure its continued affordability. This unit is located in Mahwah. The purchase price is \$115,000 for a three-bedroom unit.

PUBLIC COMMENT

Chairman Ortega then asked for a motion to open the meeting to the public. Commissioner Taschler offered the motion, it was seconded by Commissioner English-Rollieson and unanimously approved by all.

Paul Nickels re-introduced himself to the Board. He began by complimenting the success of Project Homeless Connect at the HHH. Mr. Nickels commended the HABC social media team. He complimented Heather Wei of doing a great job of publicizing and circulating information.

Mr. Nickels asked for information on the Landlord Lunch and Learn program. Mr. Nickels asked if the purpose of the program was to encourage landlords to accept Section 8 vouchers. Mr. Corriston explained that it is against the law for a landlord to refuse a tenancy based solely on the tenants Section 8 assistance. Mr. Nickels asked if the Authority was anticipating any problems with the addition of 350 applicants to the wait list. Ms. Bartlett explained that the 350 will be selected by lottery and that there is no expectation of any issues or problems.

Mr. Nickels then inquired regarding the Authority's award of Mainstream funding. Ms. Bartlett explained that this is a targeted rental assistance program and is not available to the public at large, referrals come from the coordinated prioritization assessment list. Mr. Nickels asked if this assistance was still available, Ms. Bartlett responded that the program is currently leasing up.

Lastly, Mr. Nickels asked when the Authority would worry regarding the Federal government shut down. Ms. Bartlett, rather than discuss worry, explained the situation relative to normal operations. At present continued normal operations are expected for the short-term future.

Seeing there was no one from the public who wished to address the Commissioners. Commissioner Taschler made a motion to close the public portion of the meeting which was seconded by Commissioner Hernandez.

CONSENT AGENDA

Motion was made by Commissioner Taschler and seconded by Commissioner Hernandez. Upon roll call the motion carried unanimously.

CONSENT AGENDA

A. Resolution 2019-01

Resolution approving the routine expenditures for the HABC for the period of 12/10/2018 through 01/11/19

B. Resolution 201-02

Resolution approving the routine expenditures for the HDC for the period of 12/10/2018 through 01/11/2019

C. Resolution 2019-03

Resolution appointing three Commissioners to serve on the Housing Development Corporation of Bergen County (HDC) Board of Trustees for a term of one calendar year

D. Resolution 2019-04

Resolution appointing three Commissioners to serve on the Community Housing Resource Board of Southern Bergen County (CHRB) for a term of one calendar year

E. Resolution 2019-05

Resolution appointing three Commissioners to the HABC Personnel Committee for a term of one calendar year

F. Resolution 2019-06

Resolution authorizing purchases under the New Jersey Cooperative Purchasing Program for the fiscal year 2019-2020

G. Resolution 2019-07

Resolution authorizing a contract for carpeting and flooring on an as-needed basis for the period of two years

H. Resolution 2019-08

Resolution awarding a contract for boiler replacement at Ramapo Brae and DeSimone Court Townhomes

I. Resolution 2019-09

Resolution authorizing a grant agreement for \$450,000 in Community Block Grant funds for the replacement of boilers at Ramapo Brae and DeSimone Court Townhomes

J. Resolution 2019-10

Resolution approving the annual Capital Budget for submission to the State of New Jersey Department of Community Affairs

K. Resolution 2019-11

Resolution approving the Annual HUD Budget for the Authority for Fiscal Year 2019-2020

L. Resolution 2019-12

Resolution approving the Cash Management Plan for Fiscal Year 2019-2020

ROLL CALL VOTE

Commissioner English Rollieson - YES

Commissioner Hernandez - YES

Commissioner Ortega - YES

Commissioner Taschler – YES

IN FAVOR: All Present Commissioners (4)

ABSENT: Commissioners Caminiti, Peterson and Weinstein (3)

Commissioner Taschler then moved to adjourn which was unanimously seconded at 6:35pm.

Prepared by: Lynn Bartlett