

The Caucus of the Housing Authority of the City of Bayonne was held on Thursday, November 8, 2018 at 5:00 PM in the Conference Room located at 549 Avenue A, Bayonne, NJ 07002.

The following letter was received from the Executive Director, John T. Mahon.

Honorable Ludovico Nolfo

Honorable John R. Cupo

Honorable Rev. H. Sykes

Honorable Vincent Lombardo

Honorable Maria Karczewski

Honorable Irene Rose Pyke

Honorable Edith Ferrell

Kathleen A. Walrod, Counsel

Members of the Board:

In accordance with the By-laws of the Housing Authority of the City of Bayonne, after consulting with the other Commissioners of the Authority, I have determined to call Caucus Meetings of the Authority, as additional special meetings of the Authority, generally to be held on the Thursday Noon prior to the second Tuesday of the month.

Very truly yours,

Ludovico Nolfo
Chairman

The Regular Meeting of the Housing Authority of the City of Bayonne was held on **Tuesday, November 13, 2018 at 5:30 P.M.** in the Thomas Wojslawowicz Room located at 549 Avenue A, Bayonne, N.J. 07002.

Executive Director John Mahon called the roll and the following were present:

Chairman Nolfo, Vice Chairperson Ferrell, Lombardo, Karczewski, Cupo, and Pyke. Also in attendance was Kathleen A. Walrod, Esq.

Executive Director moved to dispense with the reading of the minutes of the previous full Agenda Meeting of October 9, 2018 in view of the fact that each Commissioner received a copy of these minutes and for excused absences from the caucus for Commissioners Sykes and Lombardo and for the meeting Commissioner Sykes. Motion made by Commissioner Karczewski and seconded by Commissioner Pyke.

AYES: Chairman Nolfo, Vice Chairperson Ferrell, Lombardo, Karczewski, Cupo, and Pyke
NAYS: None.

Members of the Board:

A Resolution approving the Authority's Annual Meetings and Caucus Meeting for the calendar year 2019.

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A Resolution authorizing the renewal with the Housing Authority of the City of Perth Amboy to provide services of a Computer Technician is being prepared for your consideration.

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On Thursday, October 4, 2018 at 11:00 AM proposals were received and opened for Brick Veneer Restoration at various sites from the following:

PROPOSER

Hear Construction, Inc.	\$ 997,000
A-1 Construction Services	\$1,599,200
Sidd & Associates	\$1,876,786
Spartan Construction	\$2,290,000

A Resolution awarding a contract to Spartan Construction for Services is being prepared for your consideration.

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A Resolution Authorizing to reject the bids originally received for the “Apartment Flooring Installation” bid and readvertise.

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Resolution authorizing to advertise and solicit proposals for Hardwood Flooring Sanding at various sites owned by the BHA.

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A Resolution approving an extended Leave of Absence for an employee is being prepared for your consideration.

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Respectfully submitted,

John T. Mahon
Executive Director

(6529) WHEREAS, the Housing Authority of the City of Bayonne (the “Authority”) has determined that, given the nature and extent of the items discussed and voted upon at its regular meetings, it would be in the Authority’s best interests to adopt a consent agenda format for the purpose of conducting one vote on all routine and un-debated matters; **WHEREAS**, the Authority’s Commissioners have reviewed the items listed on the printed agenda, and determined that all shall be voted on together with one vote, and **WHEREAS**, all Commissioners in attendance at this Regular Meeting of the Authority are in agreement with this determination, **NOW THEREFORE BE IT RESOLVED**, that the resolutions numbered **6529, 6530, 6531, 6532, 6533, 6534, 6535, 6536** are hereby adopted, effective immediately, based upon the single vote of the Commissioners.

(6530) WHEREAS, the Housing Authority of the City of Bayonne (the “Authority”) prepares and publishes notice of the times and place of its regular caucus and meeting dates on an annual basis; and **WHEREAS**, ordinarily, the Authority holds its regular meetings on the second Tuesday of each month and its caucuses on the previous Thursday; and **WHEREAS**, the Authority’s Executive Director has prepared the 2019 schedule of caucus and regular meeting dates which differs in some cases from the Authority’s ordinary schedule; and

WHEREAS, the Board of Commissioners, having reviewed said 2019 Annual Meeting Notice, approve the same and authorize the Authority to meet on the dates, which do not comport with the Authority’s ordinary schedule;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Authority that the Authority hereby approves the 2019 Annual Meeting Schedule in the form presented at this meeting; and

BE IT FURTHER RESOLVED, the Authority hereby authorizes and directs the appropriate officers to publish the said Annual Meeting Notice in accordance with applicable law.

(6531) WHEREAS, the Housing Authority of the City of Bayonne (the “Authority”) and the Housing Authority of the City of Perth Amboy (the “PAHA”) are both local units as defined in the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. and, as such, have contracted for the joint provision within their several jurisdictions of any service which either one is empowered within its own jurisdiction to provide without the need for public bidding; and

WHEREAS, the Authority requires the continued services of a Computer Technician Service, and

WHEREAS, the PAHA has offered to continue to provide the Computer Technician in accordance with the terms set forth in the existing form of inter-municipal contract for said services (the “Contract”), as previously authorized by the Board of Commissioners of the Authority (the “Board”);

NOW, THEREFORE BE IT RESOLVED that the extension of the Contract is hereby approved, and that the Board’s Chairman and Executive Director are hereby authorized and directed to execute an extension of the contract, and

BE IT FURTHER RESOLVED that, the Executive Director is hereby authorized and directed to take such further action necessary or appropriate to implement the terms of the Contract.

(6532) WHEREAS, the Housing Authority of the City of Bayonne (the “Authority”) publicly advertised an Invitation for Bids (the “Invitation”) in THE JERSEY JOURNAL on September 7, 2018 & September 10, 2018 for **BRICK VENEER RESTORATION AT VARIOUS SITES, the (“Project”)** and

WHEREAS, the Invitation for Bids provided interested parties with information on how to acquire plans and specifications (the “Specifications”) for the Project and indicated that the bids would be received and opened at 11:00 A.M. on Thursday, October 4, 2018 whereupon the bids were opened at the Authority’s office and read aloud as follows:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Hear Construction, Inc.	\$ 997,000
A-1 Construction Services	\$1,599,200
Sidd & Associates	\$1,876,786
Spartan Construction	\$2,290,000

WHEREAS, the Board of Commissioners have reviewed the bid placed by Spartan Construction, and determined that the bidder was a responsible contractor and recommended that the Authority award a contract for the referenced project to this Contractor,

WHEREAS, the award of this contract has complied with the fair and open process, established and further defined by N.J.S.A. 19:44A-20.7. Consequently, the provisions of

N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, as to campaign contributions, do not apply to the contract, and

BE IT FURTHER RESOLVED BY THE COMMISSIONERS OF THE AUTHORITY that its appropriate officers are hereby authorized and directed to enter into a contract with Spartan Construction to perform the Project in the amount of **\$2,290,000.00**.

(6533) WHEREAS, the Authority received bids for “Apartment Flooring Installation”, and **WHEREAS**, no bids were received, **NOW THEREFORE, BE IT RESOLVED**, that the bids be rejected and readvertised.

(6534) RESOLVED, that the Executive Director of the Housing Authority of the City of Bayonne be authorized to advertise and solicit bids for:

HARDWOOD FLOORING SANDING AT VARIOUS SITES

(6535) WHEREAS, the Housing Authority of the City of Bayonne has received a request from Ali Otis (Laborer) for an extension of his Family Medical Leave due to illness in accordance with the Authority’s Family Medical Leave Act Policy and applicable N.J. & Federal Law, now therefore be it

RESOLVED, that Ali Otis be granted a 12 week extension of his Family Medical Leave from October 17, 2018 to January 9, 2019.

(6536) WHEREAS, the Executive Director of the Housing Authority of the City of Bayonne (the “Authority”) has prepared the attached list of claims and payments (the “List”) for consideration by the Authority Board of Commissioners, and

WHEREAS, the List has been reviewed by the Commissioners,

NOW THEREFORE BE IT RESOLVED that the Chairman or Vice Chairman and the Executive Director be authorized and directed to execute checks for and make the payments hereby approved.

Executive Director, John Mahon: Do we have any questions from the Board or the public on the agenda?

VOTE ON RESOLUTIONS: 6529, 6530, 6531, 6532, 6533, 6534, 6535, 6536.

AYES: Chairman Nolfo, Vice Chairperson Ferrell, Lombardo, Karczewski, Cupo, and Pyke.

NAYS: None.

CARRIED.

Executive Director, John Mahon: Mr. Chairman, we’re done with the regular order of business. I turn the meeting over to you.

Chairman Nolfo: Thank you. If anybody in the audience would like to address us, please state your name and address and the purpose of your address.

Daniella Perez: My name is Daniella Perez, I’m translating for my mom. But I found out that they also need a translator. Her name is Gelitza Ramos. She lives at 537 Avenue A. I’d like to address her current situation where she was in housing, they placed her in this building at 537 Avenue A, told her she was in housing, and then they sold the building, didn’t explain to her quite what was happening with transitioning her not being in housing any longer because they sold the building.

So she signed paperwork in English that she doesn't understand, thinking she is still in housing to later find out by current tenants that she is no longer in housing because they sold the building.

Executive Director, John Mahon: The Post Road building was never public housing. If your mom went in there in the last year, we no longer had anything to do with it. The owners of the building took back the operations of the building. When she was in 535 she was our resident. And for whatever reason that she decided to leave, when she applied to the other building she dealt with the owners of those buildings. So this unfortunately has nothing to do with us at this point.

Daniella Perez: She spoke with someone in housing and said that she wanted her housing back.

Executive Director, John Mahon: They're two separate programs.

Daniella Perez: They didn't tell her that she was being moved into a building that wasn't housing.

Kathy Walrod, Esq: She filled out a separate application for senior housing. That was the application for 535 Avenue A.

Executive Director, John Mahon: The building you were in in the front, 535, that was public housing.

Kathy Walrod, Esq: 537 was never public housing. So when she signed her lease there, she signed a lease with Post Road Gardens. She got a brand new lease and she signed it for the new owners. That's when she transferred.

Daniella Perez: She says she signed up for housing with them and when she was in there then they made her sign for Post Road Gardens.

Kathy Walrod, Esq: She applied for senior housing, and that's a building that's senior housing. She put her name on a list for different housing. We can't do that for her.

Executive Director, John Mahon: It was a separate application submission for 537 that we don't have anything to do with at this point. So they would have called her in on their own. If it was in the last several years, it would have had nothing to do with us.

Daniella Perez: Well someone didn't explain to her correctly. She was informed that she is in housing.

Kathy Walrod, Esq: She's still completely protected in that building.

Daniella Perez: She doesn't feel protected.

Kathy Walrod, Esq: She may not feel it, but the building is a senior building. The people that are there will not have any increases in rent beyond what's allowed by the city. She cannot be evicted for any reason. So she still has all of the protections.

Daniella Perez: She doesn't feel safe. That building has been filled with drugs and attacks on seniors.

Executive Director, John Mahon: Unfortunately we don't manage that building. We have not been involved for several years. You'd have to discuss that with the owners if there's a specific issue. Please contact--

Daniella Perez: I'm sorry, my question is: She was in housing. Why is she no longer in housing?

Executive Director, John Mahon: She made the decision somewhere along the line to fill out an application for that building, they called her in, and—

Daniella Perez: She didn't fill out for that building. She went to the housing and the housing told her that that building was housing before it was bought by whoever. Then later on someone said that it was sold and then she filled out papers because she had no choice.

Kathy Walrod, Esq: She may have misunderstood what she applied for, but even when she went in there the very first day it said Post Road Gardens. It never said Bayonne Housing Authority. If you'd like us to talk to her, we're happy to speak with her but there's no such thing as a transfer between buildings there. Because they're not going by the same entity. So she applied to get in there and she got in there and she may not like it now. But that's a different issue and I can discuss that with you, but it's not a matter of a transfer.

Daniella Perez: She filled out the application for housing again but she got an inquiry stating that she was withdrawn from housing. On October 9th, she did the inquiry on the same day she did the application because I did it for her, because I was shocked that she wasn't in housing anymore. Instead of them putting down that they received the application, they put down that she's withdrawn from housing.

Executive Director, John Mahon: She may have had another application in and that's what that inquiry was about. If you want to speak to someone afterwards though, they can explain it a little further.

Daniella Perez: So there's nothing for her to be able—

Kathy Walrod, Esq: Ma'am, she would have to go on the waiting list and that would be probably a four year wait. But she would have to reapply.

Chairman Nolfo: As Mr. Mahon stated, we'd be happy to discuss this directly after the meeting.

Kathy Walrod, Esq: Are you interpreting for Ms. Rivera as well?

Daniella Perez: Yes.

Kathy Walrod, Esq: This is Maria Rivera, correct?

Executive Director, John Mahon: This is the appeal. Before you start, we'd like this to ask, do you want this on the record and open to public? Or do you want this to be a private discussion with the board?

Daniella Perez: She wants it public.

Kathy Walrod, Esq: Ms. Rivera, the board has been filled in on your situation. This is your appeal to the board. Ma'am, if you're going to interpret, you kind of have to—

Daniella Perez: Okay, sorry.

Kathy Walrod, Esq: Is there anything else you would like to add considering your case?

Daniella Perez: Everything she has in these folders.

Kathy Walrod, Esq: We have all those documents. Do you have any new documents?

Daniella Perez: Yes, she has new documents.

Kathy Walrod, Esq: There's nothing new here. This is from 2014. This is everything else we've looked at. We looked at all this, that's fine. You can take this back. Thank you. I have the certificate of marriage.

Daniella Perez: She's going through it to see if there's something new.

Kathy Walrod, Esq: Everything in there I have.

Chairman Nolfo: Should we ask for meeting to be adjourned?

Executive Director, John Mahon: Is there anything new that the board should be made aware of?

Daniella Perez: Her husband was approved not for state Section 8 but for Federal Section 8 in 1995. When she went to social security, they told her that her Section 8 goes to her because it was Federal, not State.

Executive Director, John Mahon: First of all, it's not federal vs state. It's a federal program. And based on the information that has been provided, you were not living with your husband during this point, and also out of state.

Kathy Walrod, Esq: I provided Ms. Rivera the letter that her husband provided to us, removing her from his section 8. And that was in 1994. I'm sorry, 2014. I read my note wrong.

Daniella Perez: She said they didn't question her when they went to social security. She gave them the letter and they said that because she was married to him that legally they would still be corresponding to her.

Executive Director, John Mahon: Social security doesn't control HUD and they have different regulations. So she may be entitled to inherit from them and collect his benefits, but she is not entitled to move into an apartment that she hasn't lived in in 4 years.

Kathy Walrod, Esq: You can also tell her the board will consider everything she has provided today. Ma'am, because there's a recording, you have to interpret.

Executive Director, John Mahon: Could you let us know what she was just saying?

Daniella Perez: She's telling me that she had explained this to [Ms. Walrod] before and I'll say what she explained but she also says that you told her to be quiet when she was trying to explain something to you about how her husband was schizophrenic. He wasn't well. The doctors came there and explained that she still had authority to be there because he wasn't well yet.

Kathy Walrod, Esq: Just by response, Mr. Bracero was present for that meeting. Noone ever told Ms. Rivera that she couldn't speak. And she never raised that issue although it's not relevant. The board will consider what she's said tonight. But two of us were present, I'm never seeing someone alone. Noone told her she could not speak at any time. In fact, we looked at every document she had and reviewed our documents with her.

Daniella Perez: She said that he translated and said that she said to be quiet or she is going to get up.

Kathy Walrod, Esq: I've never known him to translate in that way.

Daniella Perez: She says she was treated wrongly when she was trying to explain her situation.

Executive Director, John Mahon: Social security has nothing to do with this.

Daniella Perez: She says she always lived with him. She was never not with him. Why couldn't she get her section 8.

Kathy Walrod, Esq: Well that's because we have mail searches and proof directly from her that she lived in North Carolina.

Daniella Perez: She says she never left her husband where she lived. She went to North Caroline for 3 months to take care of kids.

Kathy Walrod, Esq: She was gone for 4 years and we have records even from September 2018 that show she lived in – but she'll receive an opinion. We appreciate everything she had to say.

Chairman Nolfo: I don't think we can resolve this in this conversation here. It seems to be very complicated, very complex.

Executive Director, John Mahon: You can review the decision and then get back to the applicant.

Chairman Nolfo: We will review the decision—

Executive Director, John Mahon: If the chairman is speaking, you must listen.

Chairman Nolfo: We will review it and we will send her a final decision, explaining as to why. If I may add, we do not do anything either illegal or not proper. Whatever decision we have made, we made it proper. We appreciate her coming here and appealing it again, but we've already made the decision.

Executive Director, John Mahon: And it will get a final decision from the Board.

Chairman Nolfo: We made a decision, we already communicated, but we'll review it again and send a final notice. But as I said, we do not do anything that is illegal or improper. We insure you of that. Thank you for coming.

The Chairman then asked for a motion to adjourn.

Motion made by Commissioner Karczewski and seconded by Commissioner Pyke to adjourn.

AYES: Chairman Nolfo, Vice Chairperson Ferrell, Lombardo, Karczewski, Cupo, and Pyke.

NAYS: None.

The meeting was then adjourned at 5:52 PM.