

The Caucus of the Housing Authority of the City of Bayonne was held on Tuesday, August 11, 2020 at 4:30 PM via teleconference.

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

Honorable Vincent Lombardo

Honorable Irene Rose Pyke

Honorable John R. Cupo

Honorable Maria Karczewski

Honorable Robert Doria

Honorable Matthew Klimansky

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, generally to be held directly before the Regular Meetings.

Very truly yours,
Vincent Lombardo
Chairman

The Regular Meeting of the Housing Authority of the City of Bayonne was held on **Tuesday, August 11, 2020 at 5:00 PM** via teleconference.

Members of the Board:

On Tuesday, July 28, 2020 at 11:00 AM proposals were received and opened for General Legal Counsel from the following:

PROPOSERS

Law Office of Kathleen A. Walrod, Esq.
Raff, Massone & Weeks, LLC
Rudderman & Roth, LLC

The Finance Committee will report its' recommendations for the General Legal RFPs. Action may be taken on this matter.

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On Tuesday, July 28, 2020 at 11:30 AM proposals were received and opened for Tenancy Services from the following:

PROPOSERS

Law Office of Kathleen A. Walrod, Esq.
Raff, Massone & Weeks, LLC

The Finance Committee will report its' recommendations for Tenancy Matters. Action may be taken on this matter.

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As the final phase of the Post Road Gardens litigation, mediation, has begun, a resolution authorizing Kathleen Walrod to continue to represent the Authority through the conclusion of this litigation has been prepared for your consideration.

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At the June 2020 meeting the Board adopted an Ethics Policy. To effectuate the Policy, the Chairman wishes and is empowered to form a committee for any such matters. The committee

would be assigned on a case by case basis. The Resolution authorizes the Chairman to establish the committee and make appointments.

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A Resolution approving the write offs from July 1, 2019 to June 30, 2020 is being prepared for your consideration. Write offs are done on an annual basis as part of the accounting function for annual close outs. BHA staff makes every reasonable effort to collect current outstanding balances and the write off continues to be both a low amount and percentage. A write off does not prevent future collection of an outstanding debt if the situation arises.

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Resolution approving the Authority's Adopted Budget from July 1, 2020 to June 30, 2021 is being prepared for your consideration. As compared to other years the State returned the budget you approved earlier this year extremely quickly. You are approving the State approval of the budget you approved earlier this year.

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The Authority implemented and the Board ratified waivers that were allowed by HUD in response to the COVID-19 crisis. HUD has extended the waivers until December 31, 2020. Out an abundance of caution, a resolution noting the extension of the waivers is being prepared for your approval.

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Authority Staff was asked to work with the Commissioners to draft an Emergency, Infectious Disease and Business Continuity Plan. Commissioner Pyke will report on that process and action may be taken.

The Finance Committee will report on cash management and investment strategy after reviewing options.

As was previously mentioned earlier this year, maintenance requested the purchase of a bucket truck that can be used to assist in the upkeep of lights and cameras as well as nominal tree pruning that affects the fore mentioned. A public Co-op that the Authority joined allows for such a purchase without competitive bidding and the items needed as add ons for safety and efficiency are available customizations for the finished product desired. The final cost is \$74,101 and funds are available for the purchase.

The Bayonne Housing Authority was informed of the winning of two Awards of Merit from National NAHRO for its Senior Health and Resource Expo (SHARE) and BHA Calendar. Only 17 awards were given in the Mid-Atlantic Region of NAHRO.

The Bayonne Housing Authority was chosen to participate in the National Standards for the Physical Inspection of Real Estate (NSPIRE) demonstration. HUD is in the process of building a new inspection model for the evaluation of properties. By being part of the demonstration BHA is positioned to have direct input into the new protocol and hopefully have an impact on the final product.

The BHA Director was selected to participate in the initial "Coffee with Kurtz". Fifteen Executive Directors from across the country were asked to have an informal and interactive discussion with Hunter Kurtz, Assistant Secretary for Public and Indian Housing, and his staff. The Assistant Secretary wanted to hear about what was working and not working with the CARES money and anything else we wanted to discuss.

The BHA Director was also asked to be on a panel for the Public Housing Authorities Directors Association (PHADA) on strategies and implementation of CARES funding in relation to the COVID-19 crisis.

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Resolution renewing the DHS Business Associates Agreement between the Authority and Joanne Wells.

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Respectfully submitted,
John T. Mahon
Executive Director

Executive Director, John Mahon: In accordance with the Open Public Meetings Act, chapter 231, p.l. 1975, the “so called” Sunshine Law, a notice was forwarded to the Clerk of the City of Bayonne and to the Jersey Journal and was posted on the bulletin board in the lobby of 549 Avenue A, Bayonne, New Jersey. We’ll start with the pledge to the flag led by Commissioner Klimansky.

Pledge of Allegiance.

Executive Director, John Mahon: Roll call. Commissioner Klimansky?

Commissioner Klimansky: Present.

Executive Director, John Mahon: Commissioner Karczewski?

Commissioner Karczewski: Here.

Executive Director, John Mahon: Commissioner Doria?

Commissioner Doria: Here.

Executive Director, John Mahon: Commissioner Cupo? Commissioner Cupo? Are you on mute, or not here? Vice Chair Pyke?

Vice Chair Pyke: Present.

Executive Director, John Mahon: Chairman Lombardo?

Chairman Lombardo: Present.

Executive Director, John Mahon: Mr. Chairman, do we want to wait another minute or two so Commissioner Cupo can get on?

Executive Director, John Mahon: John Cupo, is that you?

Commissioner Cupo: This is me.

Executive Director, John Mahon: Okay, very good. Do I hear a motion to suspend the reading of the minutes and file them accordingly?

Commissioner Karczewski: I'll move.

Executive Director, John Mahon: And a second?

Commissioner Klimansky: I'll second.

Executive Director, John Mahon: Okay, I'm going to read the first four resolutions individually for an individual vote and then put on a Consent Agenda numbers 5 to 10. Who would like to sponsor this one?

Chairman Lombardo: I'll move.

Executive Director, John Mahon: Who was that, Commissioner Doria?

Chairman Lombardo: No, Vinnie.

Executive Director, John Mahon: Oh, sorry.

Chairman Lombardo: Commissioner Doria can move and I'll second, how about that?

Executive Director, John Mahon: Okay.

(6646) WHEREAS, the Housing Authority of the City of Bayonne (the "Authority") published a notice in The Jersey Journal on July 8, 2020 and July 15, 2020 requesting attorneys and law firms to submit proposals to serve as General Legal Counsel to the Authority ("RFP"); and

WHEREAS, at **11:00 AM on Tuesday, July 28, 2020** proposals were received and the Authority's Executive Director opened the proposals from the following:

PROPOSERS

Law Office of Kathleen A. Walrod, Esq.
Raff, Massone & Weeks, LLC
Rudderman & Roth, LLC

WHEREAS, the Authority's Finance Committee evaluated the proposals received based on evaluation criteria included in the RFP, which included, but not limited to price, and recommends that the Authority accept the proposal of Raff, Massone & Weeks, LLC, based upon its receiving the highest evaluation score; and

WHEREAS, it is the conclusion of the Commissioners of the Authority that based upon the proposal submitted by Raff, Massone & Weeks, LLC to be the Authority's General Legal Counsel, the selection of Raff, Massone & Weeks, LLC is in the best interest of the Authority; and

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

WHEREAS, the Local Public Contracts Law of the State of New Jersey, N.J.S.A. 40A:11-1 et seq., requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids and the contract itself must be available for public inspections;

NOW THEREFORE BE IT RESOLVED, that the appropriate officers of the Authority are authorized and directed to execute the form of contract providing for a one year contract for General Legal Counsel with Raff, Massone & Weeks, LLC as Counsel for the Authority at a base fee for **\$96,000** charged on an hourly basis for the period from September 1, 2020 to August 31, 2021 and, be it further

RESOLVED, that this contract has been awarded under competitive proposal procurement procedures, as more fully described at 24 CFR 83.36 and PIH Notice 2003-24, and as a “Professional Services” was not required to be bid under New Jersey Local Public Contract Law” and that a notice of this action shall be published once in an appropriate newspaper of general circulation.

Executive Director, John Mahon: On that resolution?

AYES: Chairman Lombardo, Vice Chair Pyke, Commissioners Cupo, Karczewski, Klimansky, and Doria.

NAYS: None.

ABSTAIN: None.

CARRIED.

Executive Director, John Mahon: Do I hear a motion and a second to the next resolution?

Commissioner Doria: I’ll move it again.

Vice Chair Pyke: Second.

Executive Director, John Mahon: Okay.

(6647) WHEREAS, the Housing Authority of the City of Bayonne (the “Authority”) published a notice in The Jersey Journal on July 8, 2020 and July 15, 2020 requesting attorneys and law firms to submit proposals to serve as Tenancy Services to the Authority (“RFP”); and

WHEREAS, at **11:00 AM on Tuesday, July 28, 2020** proposals were received and the Authority’s Executive Director opened the proposals from the following:

PROPOSERS

Law Office of Kathleen A. Walrod, Esq.

Raff, Massone & Weeks, LLC

WHEREAS, the Authority’s Finance Committee evaluated the proposals received based on evaluation criteria included in the RFP, which included, but not limited to price, and recommends that the Authority accept the proposal of Law Office of Kathleen A. Walrod, Esq., based upon its receiving the highest evaluation score; and

WHEREAS, it is the conclusion of the Commissioners of the Authority that based upon the proposal submitted by Law Office of Kathleen A. Walrod, Esq. to be the Authority’s Tenancy Services Counsel, the selection of Law Office of Kathleen A. Walrod, Esq. is in the best interest of the Authority; and

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

WHEREAS, the Local Public Contracts Law of the State of New Jersey, N.J.S.A. 40A:11-1 et seq., requires that the resolution authorizing the award of a contract for “Professional

Services” without competitive bids and the contract itself must be available for public inspections;

NOW THEREFORE BE IT RESOLVED, that the appropriate officers of the Authority are authorized and directed to execute the form of contract providing for a one year contract for Tenancy Services with Law Office of Kathleen A. Walrod, Esq. as Counsel for the Authority at a base fee for **\$160.00 per hour** for the period from September 1, 2020 to August 31, 2021 and, be it further

RESOLVED, that this contract has been awarded under competitive proposal procurement procedures, as more fully described at 24 CFR 83.36 and PIH Notice 2003-24, and as a “Professional Services” was not required to be bid under New Jersey Local Public Contract Law” and that a notice of this action shall be published once in an appropriate newspaper of general circulation.

Executive Director, John Mahon: On that resolution?

AYES: Chairman Lombardo, Vice Chair Pyke, Commissioners Cupo, Karczewski, Klimansky, and Doria.

NAYS: None.

ABSTAIN: None.

CARRIED.

Executive Director, John Mahon: Next resolution, do we have a motion and a second sponsor?

Commissioner Karczewski: This is Maria. I’ll motion.

Executive Director, John Mahon: Okay, and a second?

Chairman Lombardo: I’ll second.

(6648) WHEREAS, the Housing Authority of the City of Bayonne continues to be involved with litigation-mediation with the South Shore entities; and

WHEREAS, the Housing Authority of the City of Bayonne wishes present counsel, Law Office of Kathleen A. Walrod, to continue of counsel of record and to handle the mediation through December 31, 2020; and

WHEREAS, the Law Office of Kathleen A. Walrod has agreed to provide such services at the rate of \$175.00 per hour;

NOW THEREFORE BE IT RESOLVED the Housing Authority of the City of Bayonne agrees to employ the Law Office of Kathleen A. Walrod to continue representation of the Housing Authority of the City of Bayonne until the conclusion of litigation/mediation.

Executive Director, John Mahon: On that resolution?

AYES: Chairman Lombardo, Vice Chair Pyke, Commissioners Cupo, Karczewski, Klimansky, and Doria.

NAYS: None.

ABSTAIN: None.

CARRIED.

Executive Director, John Mahon: For the fourth one, who would like to motion and second?

Chairman Lombardo: I'll make a motion

Commissioner Klimansky: I'll second.

(6649) WHEREAS, the Board of Commissioners of the Housing Authority of the City of Bayonne adopted an Ethics Policy on June 23, 2020; and

WHEREAS, Board Chair is authorized to organize a Committee to review and refer complaints made under this policy and make determinations and suggest actions that include but are not limited to censure, reprimand and/or removal from committees; and

WHEREAS, the Chair must appoint up to three (3) people to serve on said committee;

NOW THEREFORE BE IT RESOLVED the Board Chair is authorized to organize said committee upon the receipt of a complaint and is authorized to appoint Commissioners to serve on the same, as needed.

Executive Director, John Mahon: On that resolution?

AYES: Chairman Lombardo, Vice Chair Pyke, Commissioners Cupo, Karczewski, Klimansky, and Doria.

NAYS: None.

ABSTAIN: None.

CARRIED.

Executive Director, John Mahon: Now the rest will be on the consent agenda. Can I have a motion and second then I'll read it?

Commissioner Doria: I'll move.

Commissioner Karczewski: I'll move.

(6645) 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, (except resolution numbered ____), 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 **6645, 6650-6655,** are hereby adopted, effective immediately, based upon the single vote of the Commissioners.

(6650) WHEREAS, the 2019-2020 fiscal year of the Housing Authority of the City of Bayonne (the "Authority") ended June 30, 2020 and

WHEREAS, the Authority currently has outstanding debts owed to it from prior tenants of the Authority in the amounts indicated on the list attached heretofore totaling **\$59,580.47** for the periods and total amounts as shown thereon for the period **July 1, 2019 to June 30, 2020,** and,

WHEREAS, it is in the opinion of the Authority's accounting staff, David Ciarrocca, CPA, as set forth in his letter of August 6, 2020 to the Authority that the Authority should write off the aforestated debts,

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Authority, that based upon the recommendation of its accounting staff, the aforestated debts are hereby written off, and

BE IT FURTHER RESOLVED, that the write-offs on these debts shall be effected no later than June 30, 2020 and

BE IT FURTHER RESOLVED, that this action shall not alter the intention of the Authority to collect all accounts with amounts over \$1,000 and that, should any such amounts be collected, the proceeds thereof shall be included in the accounts of the Authority as extraordinary revenues at the time of their actual receipt.

(6651)

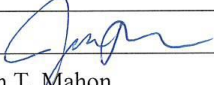
2020 ADOPTION CERTIFICATION

Bayonne Housing Authority

HOUSING AUTHORITY BUDGET

FISCAL YEAR: FROM: July 1, 2020 TO: June 30, 2021

It is hereby certified that the Housing Authority Budget and Capital Budget/Program annexed hereto is a true copy of the Budget adopted by the governing body of the Bayonne Housing Authority, pursuant to N.J.A.C. 5:31-2.3, on the 11th day of, August 2020.

Officer's Signature:			
Name:	John T. Mahon		
Title:	Executive Director		
Address:	549 Avenue A Bayonne, N.J. 07002		
Phone Number:	201-339-8700	Fax Number:	201-436-0995
E-mail address	bayonneha@optonline.net		

2020 ADOPTED BUDGET RESOLUTION

Bayonne Housing Authority HOUSING AUTHORITY

FISCAL YEAR: FROM: July 1, 2020 TO: June 30, 2021

WHEREAS, the Annual Budget and Capital Budget/Program for the Bayonne Housing Authority for the fiscal year beginning July 1, 2020 and ending, June 30, 2021 has been presented for adoption before the governing body of the Bayonne Housing Authority at its open public meeting of 8/11/20; and


WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$16,688,585, Total Appropriations, including any Accumulated Deficit, if any, of \$16,544,856 and Total Unrestricted Net Position utilized of \$ 0; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$3,160,177 and Total Unrestricted Net Position planned to be utilized of \$ 0; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of Bayonne Housing Authority, at an open public meeting held on August 11, 2020 that the Annual Budget and Capital Budget/Program of the Bayonne Housing Authority for the fiscal year beginning, July 1, 2020 and, ending, June 30, 2021 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.



(Secretary's Signature)

8/11/20

(Date)

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
John Cupo	X			
Vincent Lombardo	X			
Maria Karczewski	X			
Irene Rose Pyke	X			
Matthew Klimansky	X			
Robert Doria	X			

(6652) **WHEREAS** the COVID-19 crisis has fundamentally changed the way PHAs do business and
WHEREAS, HUD has recognized that in order to provide necessary services to program participants certain flexibility is required to achieve such tasks and
WHEREAS, HUD has promulgated regulations that allow PHAs the option of using certain waivers of current regulations and protocols and
WHEREAS, the BHA seeks to reserve the option to use the attached waivers for its programs and participants and
WHEREAS, HUD requires Board approval to reserve the option to use such waivers by June 30, 2020 and
WHEREAS, HUD has extended all COVID-19 waivers until December 31, 2020 and the Board authorizes the reservation of the option to use such waivers
NOW THEREFORE BE IT RESOLVED that the attached waivers are hereby adopted as options for the BHA to use as necessary
AND BE IT FURTHER RESOLVED that this approval also includes any extension of any waivers that the BHA has retained the option to use.

(6653) **WHEREAS**, from time to time the Bayonne Housing Authority, through regulation, law, or necessity, is required to adopt, update and amend its policies, plans and procedures;
NOW THEREFORE BE IT RESOLVED that the following Plan be or adopted.
BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes and directs the appropriate Housing Authority staff to enforce and execute the Plan listed:
Emergency, Infectious Disease & Business Continuity Action Plan.

(6654) **NOW THEREFORE BE IT RESOLVED**, that the Department of Human Services Business Associates Agreement between the Authority and Joanne Wells be approved.

(6655) **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: On that consent agenda?

AYES: Chairman Lombardo, Vice Chair Pyke, Commissioners Cupo, Karczewski, Klimansky, and Doria.

NAYS: None.

ABSTAIN: None.

CARRIED.

Executive Director, John Mahon: Mr. Chairman, I'm done with the regular business of the meeting and now turn it over to you. If there's any public comment or question.

Chairman Lombardo: Do we have anyone from the public participating in this meeting?

Executive Director, John Mahon: I do not believe so.

Chairman Lombardo: OK, thank you. I just want to make a couple of comments and then open it up to the commissioner so we can adjourn the meeting. First, I want to thank everyone for all their hard work as we continue to move forward. Commissioner Cupo, thank you for recognizing the committee process. It's something we wanted to install and we did. And it's working very well. It brings more transparency to the operation. I want to commend John and Patricia once again and the entire staff for the great job they do. I also want to personally thank Kathy Walrod for her time as the general counsel for the authority.

Kathleen Walrod, Esq.: Thank you for the opportunity.

Chairman Lombardo: And we look forward to for you to continue working with us on the tenancy issues. And finally, I just want to say that I am personally proud of the commitment of this Board to move things forward. We're getting things done. We're moving in the right direction. So thank you all for your time and effort on behalf of the residents of the city. Would anybody else like to say anything? John, can we call for a motion to adjourn?

Executive Director, John Mahon: Do I hearing motion to adjourn?

Commissioner Cupo: Aye.

Executive Director, John Mahon: Commissioner Cupo, and a second?

Vice Chair Pyke: Second.

Executive Director, John Mahon: Second by Vice Chair Pyke.

Executive Director, John Mahon: All in favor?

AYES: Chairman Lombardo, Vice Chair Pyke, Commissioners Cupo, Karczewski, Klimansky, and Doria.

NAYS: None.

ABSTAIN: None.

Motion passed.

Executive Director, John Mahon: Unanimous, thank you very much. That means we're adjourned.

The meeting was then adjourned at 6:00 PM.