

The Caucus of the Housing Authority of the City of Bayonne was held on Tuesday, April 16, 2024 at 4:15 PM in the Conference Room located at 549 Avenue A, Bayonne, NJ 07002.

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

Honorable Vincent Lombardo

Honorable Irene Rose Pyke

Honorable Robert Doria

Honorable Shanna McKennan

Honorable Jubrial J. Nesheiwat

Honorable Keith Makowski

Raff, Masone & Weeks, 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 one hour 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, April 16, 2024 at 5:00 PM** in the Conference Room located at 549 Avenue A, Bayonne, NJ 07002.

Members of the Board:

Please review the included information prior to the caucus. The regular order of the public meeting will be suspended to conduct public hearings on the Five Year / Annual Plan and the Admin Plan Changes for HOTMA.

Resolution authorizing the acceptance of the minutes of the Board of Commissioners regular meeting held on March 12, 2024.

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The Authority is required to submit an approved operating budget for purposes of enactment. A Resolution approving the Operating Budget of the Authority for fiscal year beginning July 1, 2024 is being prepared for your consideration.

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The Authority is required to submit a copy of its budget to the State of New Jersey. A Resolution submitting the Authority's 2024 Budget to Department of Community Affairs is being prepared for your consideration.

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The Authority is required to prepare and submit a Five Year and Annual Plan annually. The work items will be discussed briefly at the public hearing. A Resolution approving the submittal of the Authority's Five Year Plan and Annual Plan to HUD is being prepared for your consideration.

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A Resolution approving amendments to the HCV Administrative Plan for HOTMA compliance is being prepared for your consideration.

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A Resolution introducing an amended draft of the Administration and Occupancy Policy for HOTMA compliance and scheduling of a public hearing prior to its adoption is being prepared for your consideration.

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A Request For Proposals for A/E Services for Replacement of Benches At All Public Housing Sites. Links to the submissions are below.

PROPOSER

PROPOSAL AMOUNT

[DAL Design Group](#)

\$23,000.00

[Clarke Caton Hintz](#)

\$25,000.00

[Lothrop Associates Architects, Inc.](#)

\$24,400.00

A Resolution awarding a contract to DAL Design Group is being prepared for your consideration.

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A Request For Proposals for A/E Services for Replacement of Sealant on Exterior Windows and Patio Doors at Constable Hook Gardens (12-7) and Kill Van Kull Gardens Annex (12-7A). Links to the submissions are below.

PROPOSER

PROPOSAL AMOUNT

[DAL Design Group](#)

\$27,000.00

[Lothrop Associates Architects, Inc.](#)

\$33,300.00

A Resolution awarding a contract to DAL Design Group is being prepared for your consideration.

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A Request For Proposals for A/E Services for Physical Needs Assessment And Energy Audit At All Public Housing Sites And Bridgeview Manor. Links to the submissions are below.

PROPOSER

PROPOSAL AMOUNT

[AEI Consultants](#)

\$126,705.00

[Bureau Veritas](#)

\$69,130.00

[EG&R Engineering](#)

\$217,880.18

A Resolution awarding a contract to Bureau Veritas is being prepared for your consideration.

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A Resolution adopting the Extraordinary Capital Improvement Plan is being prepared for your consideration.

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A Resolution authorizing the hiring of Adan Uraga as Keyboarding Clerk I is being prepared for your consideration.

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A Resolution authorizing the hiring of Michael Monto as Laborer is being prepared for your consideration.

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A Resolution authorizing the hiring of Oscar Hernandez as Laborer is being prepared for your consideration.

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A Resolution authorizing the hiring of Kamil Pomichowski as Laborer is being prepared for your consideration.

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Finance and Personnel Committee

Reviewed the interest. Reviewed the monthly balances, they're still in position. Reviewed the overtime, noted that it is a 3 paycheck month. Requested that a new template be set up with the hourly rate for each employee. Discussed the bills list.

Discussed new personnel hires that are on the Agenda, 1 for administrative office and 3 for maintenance. Also went over starting pay to make sure it is being kept competitive. Finally, requested the budget to be reviewed at the caucus.

John Mahon noted that PSE&G had been sending BVM bills to Hoboken mistakenly for at least 4 years, explaining the large amount on the bill list.

Facilities and Tenant Relations Committee

Met with Assistant Director Bracero went over the required changed to the public housing program in regards to HOTMA. A public hearing will need to be conducted next month on the matter.

Reviewed three A/E proposals for Replacement of Benches and recommended DAL be awarded. Reviewed two A/E proposals for Exterior Sealant and recommend DAL. Reviewed proposals for Physical Need Assessment and after speaking with a neighboring PHA and finding positive experiences with this vendor, recommend Bureau Veritas.

Discussed and recommended the adoption of the Extraordinary Capital Improvement Plan. HUD's reserves have changed and become far less that what the BHA is historically used to. This will allow for the use of reserves for work items.

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. And in consideration of executive order no. 103, issued by Governor Murphy on March 9, 2020, declaring a state of emergency and a public health emergency, and following all said provisions of the emergency order. We're calling this meeting to order and please be advised that this public meeting is being recorded.

Pledge of Allegiance

Executive Director John Mahon:

We'll do a roll call.

Chair Lombardo:

On the added item, we'll do a roll call vote.

Executive Director John Mahon:

Okay, yeah.

*Executive Director John Mahon then called the roll and the following were present:
Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan, and Makowski.*

Executive Director John Mahon:

Do I hear a motion to suspend the regular order of business for the purpose of a public hearing, or two public hearings?

Motion by Commissioner McKennan and seconded by Commissioner Makowski

AYES: *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.*

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Do I hear a motion to open the public hearing for the five-year plan?

Motion by Commissioner Doria and seconded by Chair Lombardo

AYES: *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.*

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Whereas, the Quality Housing and Work Responsibility Act (“QHWRA”) of 1998 resulted in many requirements and changes for Public Housing Authorities (“PHAs”). Whereas, a new requirement was the development of an Annual and Five-Year Plan for the Authority. Whereas, the Five-Year Plan was updated and submitted to the U.S. Department of Housing and Urban Development (“HUD”) in 2023 and the Authority has followed the regulations concerning the drafting of the Annual Plan. And whereas, on Tuesday, April 16, 2024, the Authority conducted a public hearing concerning the Annual Plan. Which is what we’re doing right now.

So I'm going to open officially open the hearing, the public hearing from the five-year plan. Here are, [papers] that should have been in your stuff, but just in case, you have something to refer to. These are the work items that we're including in the five-year plan that is the big deviation that we have to change from year to year.

So you see everything that's in there with some estimated costs for the first parts to get us through the first couple years. And then the bottom stuff is for the last three years. It is important for us to put as many work items in as possible. If we forget something and something happens, we then have to go through a public hearing process.

As long as we list it, we don't, it doesn't mean we have to do the items. This is a nice mix of things that directly affect residents in their apartments, in their communities, in their buildings and also systemic infrastructure items.

Also remember what we discussed earlier about the Extraordinary Capital Improvement Plan. It's replicating these work items. So we have the ability to go back and forth however we choose. are there any questions from the board on the work items?

Chair Lombardo:

I don't know if you went over it, but I'm assuming this is 1.2 million?

Executive Director John Mahon:

1.2 million, yes, yes. And then it's 100,000. The point is on the thousand.

Commissioner McKennan:

What's flat roof upgrades?

Executive Director John Mahon:

Where we have flat roofs on the high rises. We make sure that the rubber and the parapets and everything are nice and- peaked is on there also.

Commissioner McKennan:

Oh, Okay.

Executive Director John Mahon:

The other thing that will be in the five-year plan will be the changes that we're indicating that we're complying with the changes that we're going to be making for Housing Choice Voucher and for Public Housing, which will be hearing number two. Anybody have any questions on that? Any comments for the record? Hearing none, do I hear a motion to close the public hearing?

Motion by Vice Chair Pyke and seconded by Commissioner Makowski

AYES: Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Okay, very good. Thank you. Do I hear a motion to close the public hearing for the five year plan?

Motion by Commissioner Makowski and seconded by Commissioner McKennan

AYES: Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Very good, thank you. Now, do I hear a motion to open the public hearing for HOTMA, the Housing Opportunity Through Modernization Act?

Motion by Chair Lombardo and seconded by Commissioner Doria

AYES: *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.*

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Very quickly, There's the HOTMA Act which the Housing Authority has to abide by. It's the Housing Opportunity Through Modernization Act. It went into effect in 2016. Things are just coming to fruition now. Assistant Director Bracero went through the Housing Choice Voucher aspect of it and we discussed it last month. This is the public hearing for it. We will do the public hearing for the public housing that we discussed today next month. You're all familiar with the presentation that we did last month. Are there any questions from the board on that? Any questions from the audience? Very good. Hearing none, do I hear a motion to close the public hearing for the HOTMA revisions?

Motion by Vice Chair Pyke and seconded by Commissioner Makowski

AYES: *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.*

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Do I hear a motion to close the public hearing for the HOTMA amendments?

Motion by Commissioner Makowski and seconded by Commissioner McKennan

AYES: *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.*

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Okay, we will make a motion, and there's a lot of motions today, sorry. Make a motion and go back into the regular order of business.

Motion by Chair Lombardo and seconded by Commissioner Nesheiwat

AYES: Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

So, we'll go over the consent agenda. Just so you know, we're pulling number two, number three from the consent agenda.

Executive Director John Mahon reads Consent Agenda resolution number 6988 listed below.

(6988) 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 all routine and un-debated matters; and

WHEREAS, the Authority’s Commissioners have reviewed the items listed on the printed agenda, and determined that all, (except resolutions numbered 2 & 3) shall be voted on together; 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 6988-7001 are hereby adopted, effective immediately.

(6989) WHEREAS, the Board of Commissioners held the regular Board meeting on March 12, 2024 meeting which was attended in person by the Commissioners; and,

WHEREAS, the minutes of the meeting must be and have been presented to the Board for review and approval; and,

NOW THEREFORE BE IT RESOLVED, by the Housing Authority of the City of Bayonne Board of Commissioners that the attached minutes of the March 2024 Board of Commissioners regular meeting are approved.

(#2) – Not Adopted (Not voted on)

PHA Board Resolution
Approving Operating Budget

**U.S. Department of Housing
and Urban Development**
Office of Public and Indian Housing -
Real Estate Assessment Center (PIH-REAC)

OMB No. 2577-0026
(exp.12/31/2012)

Public reporting burden for this collection of information is estimated to average **10 minutes per response**, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 6(c)(4) of the U.S. Housing Act of 1937. The information is the operating budget for the low-income public housing program and provides a summary of the proposed/budgeted receipts and expenditures, approval of budgeted receipts and expenditures, and justification of certain specified amounts. HUD reviews the information to determine if the operating plan adopted by the public housing agency (PHA) and the amounts are reasonable, and that the PHA is in compliance with procedures prescribed by HUD. Responses are required to obtain benefits. This information does not lend itself to confidentiality.

PHA Name: Bayonne Housing Authority
PHA Code: NJ 012

PHA Fiscal Year Beginning: July 1, 2024 Board Resolution Number: 6990

Acting on behalf of the Board of Commissioners of the above-named PHA as its Chairperson, I make the following certifications and agreement to the Department of Housing and Urban Development (HUD) regarding the Board's approval of (check one or more as applicable):

DATE

- Project Based Operating Budget approved by Board resolution on: April 16, 2024
- Operating Budget submitted to HUD, if applicable, on: _____
- Operating Budget revision approved by Board resolution on: _____
- Operating Budget revision submitted to HUD, if applicable, on: _____

I certify on behalf of the above-named PHA that:

1. All statutory and regulatory requirements have been met;
2. The PHA has sufficient operating reserves to meet the working capital needs of its developments;
3. Proposed budget expenditure are necessary in the efficient and economical operation of the housing for the purpose of serving low-income residents;
4. The budget indicates a source of funds adequate to cover all proposed expenditures;
5. The PHA will comply with the wage rate requirement under 24 CFR 968.110(c) and (f); and
6. The PHA will comply with the requirements for access to records and audits under 24 CFR 968.110(i).

I hereby certify that all the information stated within, as well as any information provided in the accompaniment herewith, if applicable, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012.31, U.S.C. 3729 and 3802)

Print Board Chairperson's Name: Mr. Vincent Lombardo	Signature: //	Date: <u>4/16/24</u>
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Previous editions are obsolete

form HUD-52574 (08/2005)

(#3) – Not Adopted (Not voted on)

Board Resolution Number 6991

2025 HOUSING AUTHORITY BUDGET RESOLUTION

Bayonne Housing Authority

FISCAL YEAR: July 01, 2024 to June 30, 2025

WHEREAS, the Annual Budget for Bayonne Housing Authority for the fiscal year beginning July 01, 2024 and ending June 30, 2025 has been presented before the governing body of the Bayonne Housing Authority at its open public meeting of April 16, 2024; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$21,451,267.00, Total Appropriations including any Accumulated Deficit, if any, of \$21,149,276.00, and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$0.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$4,450,000.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$0.00; and

WHEREAS, the schedule of rents, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Bayonne Housing Authority, at an open public meeting held on April 16, 2024 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Bayonne Housing Authority for the fiscal year beginning July 01, 2024 and ending June 30, 2025, is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Housing Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Bayonne Housing Authority will consider the Annual Budget and Capital Budget/Program for Adoption on May 14, 2024.

jmahon@bayonneha.org
(Secretary's Signature)

4/16/2024
(Date)

Governing Body Recorded Vote

Member	Aye	Nay	Abstain	Absent
Vincent Lombardo				
Irene Rose Pike				
Robert Doria				
Shanna McKennan				
Jubrial J. Nesheiwat				
Keith Makowski				

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- (6990) WHEREAS**, the Quality Housing and Work Responsibility Act (“QHWRA”) of 1998 resulted in many requirements and changes for Public Housing Authorities (“PHAs”); and
WHEREAS, a new requirement was the development of an Annual and Five-Year Plan for the Authority, and
WHEREAS, the Five-Year Plan was updated and submitted to the U.S. Department of Housing and Urban Development (“HUD”) in 2023 and the Authority has followed the regulations concerning the drafting of the Annual Plan; and
WHEREAS, on Tuesday, **April 16, 2024**, the Authority conducted a public hearing concerning the Annual Plan; and
WHEREAS, the Authority’s Board of Commissioners considered all comments on the Annual Plan; and
NOW THEREFORE BE IT RESOLVED that the Bayonne Housing Authority’s Board of Commissioners hereby accepts updates to the Annual Plan and authorizes its submission to HUD; and
NOW BE IT FURTHER RESOLVED that the Authority’s staff be directed to follow any and all regulations concerning the Annual Plan.
- (6991) WHEREAS**, HOTMA (Housing Opportunities Through Modernization Act) was passed into law in 2016 and requires changing policies and procedures in the HCV and Public Housing Program, and
WHEREAS, the Housing Authority of the City of Bayonne needs to be in compliance with HOTMA for January of 2025 and policies, plans and procedures need to be amended prior to the effective date.
WHEREAS, the Housing Authority of the City of Bayonne made revisions to its HCV Administrative Plan to be compliant with HOTMA,
NOW THEREFORE BE IT RESOLVED, that the revisions to the HCV Administrative Plan be approved by the Board of Commissioners, and
BE IT FURTHER RESOLVED, that the HCV Administrative Plan be amended as per the approved revisions.
- (6992) WHEREAS**, HOTMA (Housing Opportunities Through Modernization Act) was passed into law in 2016 and requires changing policies and procedures in the HCV and Public Housing Program, and
WHEREAS, the Housing Authority of the City of Bayonne needs to be in compliance with HOTMA for January of 2025 and policies, plans and procedures need to be amended prior to the effective date.
NOW THEREFORE BE IT RESOLVED, that an amended draft of the Public Housing Admissions and Occupancy Policy be introduced, and
BE IT FURTHER RESOLVED, at a date of May 14 at 5:30 PM be set as a date for a public hearing prior to the formal adoption of the amended Public Housing Admissions and Occupancy Policy.
- (6993) WHEREAS**, in accordance with the United States Department of Housing and Urban Development (“HUD”) procurement of professional services, pursuant to the RFQ dated May 16, 2023, and said RFQ having been publicly advertised in a newspaper of general circulation in the City of Bayonne, and in compliance with the Fair and Open Process as established and further defined by N.J.S.A. 19:44A-20.4, et seq., the Housing Authority of the City of Bayonne (the “Authority”) forwarded a Request for Proposals (the “RFP”) for

Architectural/Engineering Services (the “A/E Services”) to properly qualified Architects/Engineers pursuant to said RFQ in connection with the following project: **REPLACEMENT OF BENCHES AT ALL PUBLIC HOUSING SITES.**

WHEREAS, as of the **11:00 AM on April 9, 2024** deadline for receipt of proposals in response to the RFP, the following Architectural/Engineering firms submitted proposals as follows:

PROPOSER

[DAL Design Group](#)

[Clarke Caton Hintz](#)

[Lothrop Associates Architects, Inc.](#)

WHEREAS, the Board of Commissioners have reviewed the proposals received based on evaluation criteria included in the RFP and recommends that the Authority accept the proposal of DAL Design Group to perform the A/E Services, and

WHEREAS, the award of this contract by resolution for Professional Architectural Services complies with the requirements of N.J.S.A.40A:11-5(1)(a)(i), et seq., and

NOW THEREFORE BE IT RESOLVED, that the proposal of DAL Design Group is hereby accepted, with the understanding that any condition or provision contained in the proposal, which is inconsistent with the Authority’s Standard Agreement for Professional Architects/Engineers Services (the “Agreement”) and the RFP, is not accepted, and

BE IT FURTHER RESOLVED, that the Authority’s appropriate officers are hereby authorized and directed to enter into the Agreement with DAL Design Group to perform said A/E Services in the amount of **\$23,000.00**, and

BE IT FURTHER RESOLVED, that in accordance with the New Jersey Local Publish Law Contracts Law, N.J.S.A. 40A:11 et seq., the hiring of DAL Design Group to provide the A/E Services, including the nature, service, duration and amount of the contract and a statement that the contract and the hiring resolution are available for public inspection, shall be published as a legal notice once in a newspaper authorized by law to publish such notice.

(6994) WHEREAS, in accordance with the United States Department of Housing and Urban Development (“HUD”) procurement of professional services, pursuant to the RFQ dated May 16, 2023, and said RFQ having been publicly advertised in a newspaper of general circulation in the City of Bayonne, and in compliance with the Fair and Open Process as established and further defined by N.J.S.A. 19:44A-20.4, et seq., the Housing Authority of the City of Bayonne (the “Authority”) forwarded a Request for Proposals (the “RFP”) for Architectural/Engineering Services (the “A/E Services”) to properly qualified Architects/Engineers pursuant to said RFQ in connection with the following project: **REPLACEMENT OF SEALANT ON EXTERIOR WINDOWS AND PATIO**

DOORS AT CONSTABLE HOOK GARDENS (12-7) AND KILL VAN KULL GARDENS ANNEX (12-7A).

WHEREAS, as of the **11:15 AM on April 9, 2024** deadline for receipt of proposals in response to the RFP, the following Architectural/Engineering firms submitted proposals as follows:

PROPOSER

[DAL Design Group](#)

[Lothrop Associates Architects, Inc.](#)

WHEREAS, the Board of Commissioners have reviewed the proposals received based on evaluation criteria included in the RFP and recommends that the Authority accept the proposal of DAL Design Group to perform the A/E Services, and

WHEREAS, the award of this contract by resolution for Professional Architectural Services complies with the requirements of N.J.S.A.40A:11-5(1)(a)(i), et seq., and

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE AUTHORITY, that the proposal of DAL Design Group is hereby accepted, with the understanding that any condition or provision contained in the proposal, which is inconsistent with the Authority's Standard Agreement for Professional Architects/Engineers Services (the "Agreement") and the RFP, is not accepted, and

BE IT FURTHER RESOLVED, that the Authority's appropriate officers are hereby authorized and directed to enter into the Agreement with DAL Design Group to perform said A/E Services in the amount of **\$27,000.00**, and

BE IT FURTHER RESOLVED, that in accordance with the New Jersey Local Publish Law Contracts Law, N.J.S.A. 40A:11 et seq., the hiring of DAL Design Group to provide the A/E Services, including the nature, service, duration and amount of the contract and a statement that the contract and the hiring resolution are available for public inspection, shall be published as a legal notice once in a newspaper authorized by law to publish such notice.

(6995) WHEREAS, in accordance with the United States Department of Housing and Urban Development ("HUD") procurement of professional services, and in compliance with the Fair and Open Process as established and further defined by N.J.S.A. 19:44A-20.4, et seq., the Housing Authority of the City of Bayonne (the "Authority") on February 15, 2024 and February 20, 2024 published in **THE JERSEY JOURNAL**, a Request for Proposals (the "RFP") for Architectural/Engineering Services (the "A/E Services") in connection with the

following project: **PHYSICAL NEEDS ASSESSMENT AND ENERGY AUDIT AT ALL PUBLIC HOUSING SITES AND BRIDGEVIEW MANOR.**

WHEREAS, as of the **11:00 AM on March 5, 2024** deadline for receipt of proposals in response to the RFP, the following Architectural/Engineering firms submitted proposals as follows:

PROPOSER

[AEI Consultants](#)

[Bureau Veritas](#)

[EG&R Engineering](#)

WHEREAS, the Board of Commissioners have reviewed the proposals received based on evaluation criteria included in the RFP and recommends that the Authority accept the proposal of Bureau Veritas to perform the A/E Services, and

WHEREAS, the award of this contract by resolution for Professional Architectural Services complies with the requirements of N.J.S.A.40A:11-5(1)(a)(i), et seq., and

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE AUTHORITY, that the proposal of Bureau Veritas is hereby accepted, with the understanding that any condition or provision contained in the proposal, which is inconsistent with the Authority's Standard Agreement for Professional Architects/Engineers Services (the "Agreement") and the RFP, is not accepted, and

BE IT FURTHER RESOLVED, that the Authority's appropriate officers are hereby authorized and directed to enter into the Agreement with Bureau Veritas to perform said A/E Services in the amount of **\$69,130.00**, and

BE IT FURTHER RESOLVED, that in accordance with the New Jersey Local Publish Law Contracts Law, N.J.S.A. 40A:11 et seq., the hiring of Bureau Veritas to provide the A/E Services, including the nature, service, duration and amount of the contract and a statement that the contract and the hiring resolution are available for public inspection, shall be published as a legal notice once in a newspaper authorized by law to publish such notice.

(6996) WHEREAS, the Housing Authority of the City of Bayonne undertakes capital improvement projects related to the portfolio of public housing in the city of Bayonne and **WHEREAS**, the Authority annually puts together a five year running plan with capital improvement items that are meant to maintain and improve the quality of life for its' residents and

WHEREAS, the Authority has certain unrestricted net assets that can be used complete some of the items without jeopardizing the fiscal stability of the Authority

NOW THEREFORE BE IT RESOLVED that that the attached Extraordinary Capital Improvement Plan which includes work items from the Five year Plan be approved by the Board of Commissioners

AND BE IT FURTHER RESOLVED that the total for these work items shall not exceed \$5 million and that the Plan be reviewed periodically to establish that no fiscal harm would be encumbered by the Authority with said expenditures.

(6997) NOW THEREFORE BE IT RESOLVED, that the following be appointed to the position of Keyboarding Clerk I at the annual salary shown, in accordance with the rules and regulations of the New Jersey Department of Personnel and the personnel policy of the Housing Authority of the City of Bayonne (the "Authority"). Appointment and temporary employment shall be contingent upon satisfaction of all Authority requirements for medical examination, background check and other reviews and evaluations, as required depending

upon the position. If already temporarily employed, such employment may be terminated if any such contingency is not resolved satisfactorily.

Adan Uraga
\$27,885.00

(6998) NOW THEREFORE BE IT RESOLVED, that the following be appointed to the position of Laborer at the annual salary shown, in accordance with the rules and regulations of the New Jersey Department of Personnel and the personnel policy of the Housing Authority of the City of Bayonne (the “Authority”). Appointment and temporary employment shall be contingent upon satisfaction of all Authority requirements for medical examination, background check and other reviews and evaluations, as required depending upon the position. If already temporarily employed, such employment may be terminated if any such contingency is not resolved satisfactorily.

Michael Monto
\$34,320.00

(6999) NOW THEREFORE BE IT RESOLVED, that the following be appointed to the position of Laborer at the annual salary shown, in accordance with the rules and regulations of the New Jersey Department of Personnel and the personnel policy of the Housing Authority of the City of Bayonne (the “Authority”). Appointment and temporary employment shall be contingent upon satisfaction of all Authority requirements for medical examination, background check and other reviews and evaluations, as required depending upon the position. If already temporarily employed, such employment may be terminated if any such contingency is not resolved satisfactorily.

Oscar Hernandez
\$34,320.00

(7000) NOW THEREFORE BE IT RESOLVED, that the following be appointed to the position of Laborer at the annual salary shown, in accordance with the rules and regulations of the New Jersey Department of Personnel and the personnel policy of the Housing Authority of the City of Bayonne (the “Authority”). Appointment and temporary employment shall be contingent upon satisfaction of all Authority requirements for medical examination, background check and other reviews and evaluations, as required depending upon the position. If already temporarily employed, such employment may be terminated if any such contingency is not resolved satisfactorily.

Kamil Pomichowski
\$34,320.00

(7001) 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:

Are there any questions? On that, do I hear a motion?

Motion by Commissioner McKennan and seconded by Vice Chair Pyke

AYES: *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.*

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Okay, we have one more resolution. Which is- Who wants to move it?

Motion by Commissioner Makowski and seconded by Commissioner Nesheiwat

Executive Director John Mahon:

Paul, if for some reason I'm saying something that's- just let me know, so we can deal with it now.

Executive Director John Mahon reads resolution number 7002 listed below.

(7002) WHEREAS, the Housing Authority of the City of Bayonne (including any successors or assigns, the "Housing Authority"), was duly created as an agency and instrumentality of the municipality of the State (the "Local Unit") in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (N.J.S.A. 40A: 12A-1 et seq.) (the "Local Housing Law");

WHEREAS, Kathleen Walrod, Esq. had a valid contract with the Bayonne Housing Authority (BHA) to perform legal services for the Authority for more than ten years, including the years 2021, 2022, and 2023, and;

WHEREAS, during the years mentioned above, authorized members/agents of the Bayonne Housing Authority, pursuant to the Authority's Administrative Continued Occupancy Plan, (ACOP) instructed Ms. Walrod, as part of the services of her contract, to file a complaint in the Superior Court, Special Civil Part, Landlord/Tenant Division against Griselle Bonilla-Cepeda, a tenant with the Housing Authority because the tenant had not properly completed the tenant's annual re-certification of her family income and composition as mandated in her lease, and;

WHEREAS, the tenant, Griselle Bonilla-Cepeda has filed an action in the Superior Court alleging against Kathleen Walrod, Esq. alleging that Ms. Walrod engaged in Frivolous Litigation in violation of New Jersey Court Rule 1:4-8. and requesting Kathleen Walrod, Esq., pay her attorney fees of approximately \$55,000.00 in costs, sanctions and attorney's fees and; **WHEREAS**, the tenant, Griselle Bonilla-Cepeda has not filed an action directly against the Bayonne Housing Authority for Frivolous Litigation in violation of New Jersey Court Rule 1:48 and is barred from doing so under the rules set forth therein;

WHEREAS, Ms. Walrod in August, 2023, had formally requested that the BHA "defend and indemnify" her for all costs and fees as required by The New Jersey Tort Claims Act, (NJTCA), and this Board of Commissioners having been advised of the appropriate case

law, and agreeing Ms. Walrod acted at the direction of the Housing Authority pursuant to the written procedures, plans and specifications of the Bayonne Housing Authority;
WHEREAS, the Court has not made a determination as of April 15, 2024, as to whether Kathleen Walrod engaged in Frivolous Litigation in violation of R. 1:4-8.

NOW THEREFORE BE IT RESOLVED The Bayonne Housing Authority agrees that Ms. Walrod may have a viable derivative immunity defense under the New Jersey Tort Claims Act, (NJTCA) to the action brought against her by tenant Griselle Bonilla-Cepeda and encourages counsel for Ms. Walrod to file the appropriate application to dismiss the present Motion.

BE IT FURTHER RESOLVED: The Bayonne Housing Authority will await the outcome of the court's determination as to whether she engaged in Frivolous Litigation before making a determination as to whether to indemnify Ms. Walrod for any costs and fees associated with the defense of the action mentioned.

This resolution shall take effect immediately.

Executive Director John Mahon:

Are there any questions on the resolution from the board, public, staff? Hearing none, [shall we] do a roll call?

Executive Director John Mahon:

Commissioner Makowski?

Commissioner Makowski:

Yes.

Executive Director John Mahon:

Commissioner McKennan?

Commissioner McKennan:

Yeah.

Executive Director John Mahon:

Commissioner Nesheiwat?

Commissioner Nesheiwat:

Yes.

Executive Director John Mahon:

Commissioner Doria?

Commissioner Doria:

Yes.

Executive Director John Mahon:

Vice Chair Pyke?

Vice Chair Pyke:

Yes.

Executive Director John Mahon:

And Chairman Lombardo?

Chair Lombardo:

Yes.

AYES: *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.*

OPPOSED:

ABSTAIN:

MOTION CARRIED.

Executive Director John Mahon:

Mr. Chairman I'm done with the regular course of business. I turn the meeting over to you.

Chair Lombardo:

Not much to say but I do have a compliment from the city's mayor. He goes to walks every night on 1st Street with his wife, walking the dog. He is so impressed with the way our facilities look, our buildings look. Aside from a few garbage incidents that we've been having with the pickups. So, once again, everybody's doing a great job-

Commissioner McKennan:

It's so nasty, they just throw it- It doesn't have anything to do with you guys.

Executive Director John Mahon:

Mike's crew does a good job.

Commissioner McKennan:

Yeah.

Executive Director John Mahon:

If I could just- quickly, Mr. Chairman. I was in to see the mayor in regards to the five-year plan. I explained some of the difficulties we are experiencing with, not only missed pickups, but consistency of pickups, they're never coming on the same day, so he is going to put together a meeting with the Public Works Department, us, and more importantly, the City Attorney and the garbage hauler to try and get it straightened out and make sure that they do what they're supposed to do. Because we expressed that, you know, there's issues, but they're not ours.

Chair Lombardo:

But anyway, I've always been saying or buildings are the best I've ever seen. So, congratulations to everyone.

Executive Director John Mahon:

That's the guy right there.

Chair Lombardo:

Well, it's him and his team.

Executive Director John Mahon:

Well he's representing tonight.

Chair Lombardo:

Anyone else have any comments or statements?

Executive Director John Mahon:

Okay, hearing none, do I hear a motion to adjourn?

Motion by Commissioner McKennan and seconded by Commissioner Makowski

AYES: *Chair Lombardo, Vice Chair Pyke, Commissioners Doria, Nesheiwat, McKennan and Makowski.*

OPPOSED:

ABSTAIN:

MOTION CARRIED.

The meeting was then adjourned at 5:56 PM.