

The Special Meeting of the Housing Authority of the City of Bayonne was held on **Tuesday, July 26, 2022 at 7:00 PM** via Zoom meeting.

**Members of the Board:**

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A Resolution authorizing the hiring of Sindia Conde as Clerk I – Community Service Aide is being prepared for your consideration.

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A Resolution authorizing the entering into a partnership agreement to form the Bayonne Senior and Supportive Housing Partners, LP for the purpose of applying for the New Jersey Low Income Tax Credit Program.

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Respectfully submitted,  
**John T. Mahon**  
**Executive Director**

**Executive Director John Mahon:**

In accordance with the Open Public Meetings Act NJSA 10:4-6, and in consideration of executive order, number 103 issued by governor Murphy, on March 9 2020, declaring a state of emergency and a public health emergency in the state of New Jersey, an open public meetings act of compliance. In accordance with the open public meetings act and emergency remote meeting protocol for a local public bodies, adequate notice and electronic notice of this meeting were provided. Public comment may be made as follows, all members of the public shall be muted during the meeting except that members of the public shall be unmuted when called upon by the chair during the public comment portion of the meeting and any member engaged in disruptive behavior may be muted or removed from the meeting. Please be advised that this meeting is being recorded. So can we do the pledge to the flag, Vice Chair Pyke?

*Pledge of Allegiance*

**Executive Director John Mahon:**

For the record, this is a special public meeting for the purpose of a new hire and for the authorization to enter into a partnership agreement and I turn the meeting at this point over to the Chair and we'll go from there.

**Executive Director John Mahon:**

Okay since this is a special meeting we will not have any minutes to be recorded and filed from the last meeting. I will just turn it over to the Chair for comment on the two items on the agenda.

**Chairman Lombardo:**

Good evening everyone. Before we get into the partnership agreement, first, I trust everyone's read and reviewed everything that we sent via email and you can express your questions here. But as we as we've discussed in the past, when a commissioner has a question regarding the authority that

other commissioners may have, I believe we all agreed that we would submit it to the executive director in writing and then he will disseminate the answer to all the commissioners.

And so I'm sure there'll be a lot of questions after tonight's meeting and I think that's the prudent way of doing it, that we go back to that, we send emails, and so everybody has the same answer and we're all speaking from the same book.

**Commissioner Cupo:**

I don't understand what you mean by "if you have concerns put it in writing". Who is that directed to?

**Chairman Lombardo:**

We said that when we came on board, that it's not directed towards anybody, it's a general statement. So everybody's in the know and everybody has the same information. So when we leave these meetings, everybody's talking from the same information and so there's no confusion because as we know we have to keep everything open to the public, but we should all have the same information and without leaving room to interpretation.

If you recall about three years ago, we all agreed that that would be the common practice. Everybody's welcome to ask questions in the open session, but if there's questions, no question is a bad question. There may not be answers to them, but no questions are bad questions at this time and this also gives the executive director the opportunity to research the answer as well.

Everybody has a voice on this board. As I said, we're transparent and we just want to make sure we all have the same information moving forward. John, before we go into the second item on the agenda, can we move the first one?

**Executive Director John Mahon:**

Yes, if we could just do one other thing that I forgot to do, which was roll call.

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

*Chairman Lombardo, Vice Chair Pyke, Commissioners Cupo, McKennan, and Nesheiwat.*

*Commissioner Doria asked for an excused absence.*

**Executive Director John Mahon:**

So Mr. Chairman do you want me to proceed with the first item on the agenda?

**Chairman Lombardo:**

Yes, please.

*Resolution sponsored by Commissioner Nesheiwat and seconded by Commissioner McKennan*

**(6840) NOW THEREFORE BE IT RESOLVED**, that the following be appointed to the position of Clerk I – Community Service Aide 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.

**Sindia Conde**  
**\$27,094**

**Executive Director John Mahon:**

Any questions on that resolution? Hearing no questions, I'll take a roll call vote on this since it's a special meeting.

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

**OPPOSED:**

**ABSTAIN:**

**Executive Director John Mahon:**

Okay, motion passed. At this point unless the chairman has other information or direction we'll turn it over to Authority Counsel Mr. Weeks.

**Chair Lombardo:**

I was just like to preface this. This meeting was called due to the timing of the situation and the actions we have to take. I want to thank John and Paul for the due diligence with this and putting in the hours, this is an important program for the community that we serve. Having said that, this is a decision that the whole board needs to review, listen, raise questions and any concerns we move forward or not. And I wanted to thank everybody for coming together at this time. Paul has worked diligently. He has a lot of information and a lot of information he doesn't have because it's just too early in the process. But as I said, everybody's welcome, and please, let's make this a meaningful dialogue, which I know we always have and this way we can do our job that we've been appointed to do.

**Paul Weeks, Counsel:**

Hello, everyone. Can you all hear me? Okay, so we are here today to request that the board authorize John to execute a partnership agreement called the Bayonne Senior and Supportive Housing Limited Partnership.

It's a New Jersey limited partnership and we're asking you to authorize John to enter into the agreement, to move forward with the application with the New Jersey Home Mortgage Finance agency for what we call a LIHTC, the Low Income Housing Tax Credit Program.

It's simply a requirement of the tax credit application to have a partnership, and the documents that I sent you showed that the Bayonne Housing Authority would be a 25% partner. The Bergen County United Way Madeline Housing partners would be 25% partner and the Penwal Affordable Housing Corporation would be a one-half partner. The reason we broke down those partnership

percentages was because under the housing finance agencies requirements, we are required, if we want to take advantage of this housing tax program, we have to have a partner at least 50% ownership. That's what they refer to as an experienced partner that is an agency or an entity that has successfully completed at least two prior low income housing tax credit applications and they managed those entities. So we are still very early on in the process. The application is required to be filed by the end of August; I believe it's August 26<sup>th</sup>. And so this is the next step in the process.

It's simply an application for a housing tax credit. We don't know if we're going to be approved, we won't know until December whether we're even approved for this program, but this is the next step in the process. And we want to do to be part of it. And so that's that's why we're here. If anybody has any questions about the authorization for John to enter into this partnership agreement, I'm happy to answer them.

**Myra Murray:**

I would like to speak to John when he gets a minute.

**Paul Weeks, Counsel:**

Somebody wants to speak to John?

**Myra Murray:**

Yeah, at the end of the meeting, if possible.

**Paul Weeks, Counsel:**

Who is speaking, please?

**Myra Murray:**

Myra Murray.

**Evan Pacyna:**

This is an outside call in.

**Executive Director John Mahon:**

Okay, you got to let us know this. Thank you.

**Chair Lombardo:**

John, because this meeting may go on for a while, why don't we see what the caller would like to talk to you about if you want to take it offline because we don't want to keep them on for a while.

**Executive Director John Mahon:**

I'm sorry. I didn't catch your name.

**Myra Murray:**

Myra Murray.

**Executive Director John Mahon:**

Could you tell us what you wanted to address the board with?

**Myra Murray:**

I wanted to speak to you in reference to the Bridgeview Manor Management Corporation apartments that are being made.

**Executive Director John Mahon:**

What about them, if I may ask?

**Myra Murray:**

I'm on the list and I'm being put in the hospital and I have only until the 29<sup>th</sup>, that's the deadline for my paperwork. And I have a real situation that my paperwork is not going to be able to put in and I don't want to be put out of out of the list. I'm calling from the hospital right now and they gave me the number to call John. And that's why I'm in this meeting listening.

**Executive Director John Mahon:**

Okay, if we can get your number, I can actually have Miss Madison, our Assistant Director, give you a call now, and she can find out more of the information and talk to you directly. Is that okay?

**Myra Murray:**

I'd really appreciate it because I'm in desperate need.

**Executive Director John Mahon:**

Okay, could you give us your phone number?

**Myra Murray:**

Sure. *[Ms. Murry then recited her phone number]*

**Executive Director John Mahon:**

I'm gonna have Ms. Madison call now and get some information from you and try to give you some assistance. Ms. Madison is on the call also, she's our assistant executive director. So she'll talk to you directly and it won't be in public.

**Myra Murray:**

Who am I speaking to? I'm not speaking to John right now?

**Executive Director John Mahon:**

You're talking to John right now. Yes.

**Myra Murray:**

Oh, thank you so much, I really appreciate it. You don't know what kind of help you're giving me right now.

**Executive Director John Mahon:**

No problem. That's what we're here for and we hope you can work everything out with you.

**Myra Murray:**

Thank you, and her name was Madison?

**Executive Director John Mahon:**

Yes, Patricia Madison. She'll give you to give you a call in a minute or two.

**Myra Murray:**

Thank you so much. God bless you.

**Executive Director John Mahon:**

Okay. Thank you. You take care now.

**Chair Lombardo:**

Before we move on, John, you handled that very well. That's what we're here for, to support the community. And I want to commend you on that. This is my first time I've seen you interacting. Great job, John.

**Executive Director John Mahon:**

Could I just say one thing so it doesn't get overlooked. Evan, when we're doing the minutes on this, please redact any phone number information on the young lady.

**Chair Lombardo:**

Which leads me to the next question, since that's happened. Evan is there anyone else on the call?

**Evan Pacyna:**

No, there's nobody else, you would be able to see if someone else is on.

**Chair Lombardo:**

Mr. Weeks, should we move into executive session?

**Paul Weeks, Counsel:**

It's really up to the board. I don't have a problem answering questions, depending on the questions, in the public forum. Depending on the question I think if there's an issue that needs to be moved into executive session, we could do that but if it's just basic questions about LIHTC Program or the Home Finance Mortgage Program, I can answer that in public. If it's something about negotiations of a contract, then then we would move into executive session. I don't have much to say on those issues but it's up to you. It depends on the nature of the question.

**Chair Lombardo:**

If everyone's okay with it, I'll defer to our council. I'd like the input from the other commissioners. I trust Mr. Weeks' opinion on that. Vice Chair Pyke?

**Vice Chair Pyke:**

Yes I feel that we can just continue.

**Chair Lombardo:**

Commissioner McKennan?

**Commissioner McKennan:**

Yes.

**Chair Lombardo:**

And Cupo?

**Commissioner Cupo:**

Continue.

**Chair Lombardo:**

Okay, thank you.

**Commissioner Nesheiwat:**

Can I ask a question?

**Paul Weeks, Counsel:**

Go ahead.

**Commissioner Nesheiwat:**

So the application stage we're working on you said is at the end of August. Anything in between that and a decision being made in December? Is there any intermediate steps in between or at that level we're just at their mercy for two or three months?

**Paul Weeks, Counsel:**

We sit and wait.

**Executive Director John Mahon:**

If I could just add, and if you can't hear me let me know because we're trying to do the technical stuff here. When I have talked to folks about this, there will probably be a lot of clarification questions from HMFA, but nothing required to be submitted as part of an application or afterwards there will probably be some follow-up questions from the people reviewing the application.

**Chair Lombardo:**

I have a question. John will be our representative. John Mahon will be our representative representing the board on this partnership.

**Paul Weeks, Counsel:**

Yes.

**Chair Lombardo:**

Having said that, John still needs to come back to the board for any actions.

**Paul Weeks, Counsel:**

Yes, of course. There are going to be a number of agreements that have to be executed, that the board will have to approve, not the least of which will be a ground lease, a management agreement,

a formal partnership agreement, and a number of other things over the next several months, and really if we get the tax credits and if the program moves forward over the next year or two. So, yeah, this is just really one of the first steps in getting the application in to see whether or not the partnership and the project can even move forward. We're hopeful, but we won't know until we get approval from the HMFA in December at the earliest.

**Chair Lombardo:**

I know it's going to come up down the road, so I'll just ask this question now. The 50% partner, they're a part of 50% because they have experience in dealing with the tax credits.

**Paul Weeks, Counsel:**

That's right. That's part of the application requirements.

**Chair Lombardo:**

Okay. And how long do the tax credits hold for?

**Paul Weeks, Counsel:**

15 years.

**Chair Lombardo:**

15 years. And then at the end of 15 years, everything gets reverted back to us, 100%.

**Paul Weeks, Counsel:**

Well, no, we're not doing a transfer of the property. We are going to maintain ownership of the property. The Housing Authority has decided not to transfer the property to the partner. So we will be, we will be the owners of the property. There will be leases executed and the leases will have specific terms about the reversion as they say.

**Executive Director John Mahon:**

Mr. Chair I think maybe we were going down the wrong path with that question. I think that you were referring to what happens, like to the overall everything kind of after the 15. In relation to that, there are options to renew the LIHTC Program because what happens is, if after that 15 years, you don't either get another way of funding or do that program, you get a renewal with the program, then it doesn't remain affordable necessarily.

**Chair Lombardo:**

And the other question is that, you know I'm a big proponent of this project. We've always thought about sustainability. Who will be responsible, and maybe this is too far down the road as well, but who will be maintaining the supportive services or managing the supportive services? Is that not to be determined?

**Paul Weeks, Counsel:**

My understanding is that, well when you say maintaining the supporting services, DDD is going to be handling the selection of the tenants-

**Executive Director John Mahon:**

The Bergen County United Way will be involved with that. But the ultimate responsibility, as I understand it, will come upon this newly formed limited partnership.

**Chair Lombardo:**

That's the one thing, but the operations component of the supportive services.

**Paul Weeks, Counsel:**

The Housing Authority.

**Executive Director John Mahon:**

Well, that's the Bergen County United Way. Not the maintenance, but actually like scheduling.

**Paul Weeks, Counsel:**

Oh, when you said maintenance, I didn't understand what you were referring to. So the bottom line is there'll be a maintenance agreement that the Housing Authority will-

**Executive Director John Mahon:**

The physical maintenance for the building is going to be the Housing Authority unless HMFA wants to say something. The services to be provided would be through Bergen County United Way and their entities. Is that better?

**Chair Lombardo:**

I just wanted to get the whole picture for everyone.

**Paul Weeks, Counsel:**

The Bayonne Housing Authority will not be involved in the supportive services.

**Executive Director John Mahon:**

We are not even in the selection process. We will not be involved in the supportive services.

**Chair Lombardo:**

Paul, continue if there's anything else we'll do a round table with the commissioners and the questions.

**Commissioner Cupo:**

Can I interrupt on that question? What does supportive services mean? Do they select all the tenants going into the building?

**Paul Weeks, Counsel:**

So this housing development is broken up into two different groups. They have one half senior housing and one half supported, supportive means people with disabilities who required support to maintain independent living so it's typically medical, it could be counseling services, things of that nature.

**Commissioner Cupo:**

So they select all the tenants that are going to be residing in the in the project.

**Executive Director John Mahon:**

On the supportive side, yes.

**Paul Weeks, Counsel:**

On the supportive side, yes.

**Commissioner Cupo:**

Supportive services means they do all the tenant selection who comes in and out of the property.

**Executive Director John Mahon:**

No, why I'm saying it's the supportive services, remember it's two things, half senior half supportive services. The Authority will be responsible for the services of seniors. The Bergen County United Way will be taking care of the supportive services side because they will match the applicants to any appropriate services they need and make sure they exist.

**Commissioner Cupo:**

So when you say the word services it's really an apartment for someone to go into. We take care of the senior side of it. They take care of the apartments for people with disabilities.

**Executive Director John Mahon:**

Yes, [unintelligible].

**Chair Lombardo:**

But we're responsible for maintaining the whole facility.

**Executive Director John Mahon:**

Physically.

**Chair Lombardo:**

Physically we're responsible. Yeah, the supportive services, John maybe makes it a little easier, it's for the function within the unit to assist the people to have a high quality of life.

**Paul Weeks, Counsel:**

It's essentially the DDD, the Department of Developmental Disability that works with the Bergen County United Way to make sure that the people, the disabled who are in the supportive side, receive the services that they need. Let me give you an extreme example. This is not a nursing home. So if they were a disabled person who needed support of housing at the level of a nursing home, they would not be selected to come to this property. It's not that kind of support, it's not that intense.

So it's really disabled people who can...the Bergen County United Way, in conjunction with the DDD, determine that someone can successfully live in this development with the services that are available in this area, for example. That's what they mean by supportive services for disabled-

**Vice Chair Pyke:**

I think it's been answered already. We have 40 units. So 20 is going for the seniors and 20 for the supporter services?

**Executive Director John Mahon:**

That's correct.

**Vice Chair Pyke:**

Thank you.

**Commissioner Cupo:**

But just to answer my question, the 20 at the Bergen County United Way they select the tenants from Bergen County and they're going to put them in Hudson County?

**Chair Lombardo:**

No, no, Bayonne.

**Paul Weeks, Counsel:**

Hold on, hold on. Let me clarify this. In order to qualify for the supportive housing tax credit program, there are certain requirements that we have to be open to. And one of them is the system in which these tenants are selected. We cannot limit it to Bayonne. They can be from Bayonne, but the general area is northern New Jersey. I don't know the specific boundaries, but those people with developmental disabilities that qualify or may qualify to be in this project could be from northern New Jersey.

**Executive Director John Mahon:**

But they will not get a preference outside.

**Chair Lombardo:**

So Bayonne residents get a preference?

**Paul Weeks, Counsel:**

No, there is not any criteria that would give someone from Bayonne preference. It may be that someone from Bayonne qualifies and may be more qualified than other applicants because their doctor is in Bayonne, because their services that they receive are in Bayonne, so they may qualify more than someone say from Sussex County, right? But that is different than being able to choose only people from Bayonne. I don't want you to be confused about that. This is a state program and they have state requirements and we're not going to be able to limit the disabled for the supportive housing to only to people from Bayonne.

**Commissioner Cupo:**

So for the supportive housing, that means an individual will have to register with the Bergen County United Way to be put on their list to be considered for supportive housing.

**Executive Director John Mahon:**

No, they will be put on a list for this development. A waiting list will be opened for this development and people can sign up. Once the list is, you know, occupied in the sense of people are on the list, then Bergen County [United Way] does the screening of them.

**Paul Weeks, Counsel:**

And let me further clarify that Bergen County has no way of limiting. There's no way to limit the people who are coming or applying for this supportive housing to Bergen County, right? That's not my understanding of how the program works. The geographic boundaries are northern New Jersey so it's not Bergen County choosing people from Bergen County, as you suggested, to come here.

It's a statewide program and this particular area covers people from northern New Jersey. Now, the reality is that it's probably unlikely that someone from Sussex County who needs supportive services is going to come all the way to Hudson County. It's likely that they're going to be from this area, but I don't want you to think that we have some ability to select the people any more than anyone from Bergen County or anywhere else has the ability to select people from their hometown. It's my understanding of the program is that it's a regional program. If you want to qualify for these tax credits.

**Vice Chair Pyke:**

Paul is it first come first serve as far as the applicants.

**Paul Weeks, Counsel:**

You know, I don't know if that's a fair way to characterize it. The applications are made and good people who are qualified- I guess it's first come first serve in the sense that once the apartments are filled they're filled, right?

**Executive Director John Mahon:**

It isn't strictly that in my understanding of this because they have to match the applicant with the services. So they kind of have to look at the whole pool that they have to see what folks match best as it was explained to me. And also, it is our understanding based on conversations with this, that as Paul indicated that there's not, usually it does, not a guarantee, but there's not usually from other areas that are looking to get in here because while we're providing supportive services for day to day life, the folks are not in your family if they're coming from Sussex County, and we're just using that because it's the furthest point away, there's not that type of support from family. So in our discussions it was called to us that they generally see just folks from the community or the immediate community looking for these services and these apartments.

**Paul Weeks, Counsel:**

Yeah, we asked specifically at the very beginning of this process and John was very concerned. And so was Vincent frankly, about can we can we limit this to Bayonne? Because obviously, that's our, that's our major constituency, right? That's our constituency, and it was made very clear that you cannot do that for the disabled, for the supportive housing for the disabled. It's just simply not an option.

**Commissioner McKennan:**

I have a question. How about the 20 people that are, like, with Housing Bayonne? Could those just all be from Bayonne? And then the disability that we have from out of town-

**Executive Director John Mahon:**

We have to commit to using or referring folks from our waiting list, for this project in relation to the seniors. So, our list is primarily Bayonne folks.

**Commissioner McKennan:**

Okay. That's what I was asking. Thank you.

**Chair Lombardo:**

If we approve and act on this tonight- Well, let me backtrack. A lot of the questions we're coming up with, it's not fair because we don't have definite answers to them. There's still some gray areas that I think of few of us want to be a little bit more comfortable with. But having said that, if we move with this tonight, is there a, how should I say, a backout clause that we don't have to go through with it? If down the road, if things don't seem to be the way we envision them to be.

**Paul Weeks, Counsel:**

Yes, none of this is binding.

**Chair Lombardo:**

The reason I say that is my level of comfortability has just changed. To finalize it, be aware, the Bergen County United Way is going to have the final say on who resides, I understand that it has to be geographic, I get that point. But it seems that there's a lot on their plate that basically where-the idea was we were doing this to, and this is the first time hearing about it not being for Bayonne residents solely. This is the first time hearing about it.

So my concern is, we're promoting it as such, we're doing all this but we really have no control over the supportive side and an entity from Bergen County is going to have that control. Does that make sense, what I'm saying? My level of comfortability- And I think we need to, we should, I think, if we can, if there's a backout clause was not binding. I think we should continue but also investigate those questions, any comment-

**Paul Weeks, Counsel:**

Sure, and maybe Tom Toronto can answer these questions with more specificity, but my understanding from the very beginning of this was that we cannot. We cannot select only people from Bayonne for the supportive housing; that is not how the program works. And if we want to move forward with this, that is not going to be an option for the housing authority. Unlike, for example, tenants in the Bayonne Housing Authority, where we can limit that to people from Bayonne, we cannot do that.

So there should be no confusion in your mind about whether or not if you enter into this partnership, whether the Housing Authority or the partnership itself can limit tenancies to people from Bayonne with developmental disabilities. That is not how the program works and it is not an option. It may be that many or most, some, or all actually come from Bayonne because they are

the most qualified candidates but that is very different than selecting them only from Bayonne. The pool of developmental disability is a northern New Jersey pool of candidates.

**Chair Lombardo:**

I get that and I appreciate you explaining that, but I'm also looking at- we're using our property and, personal biases aside, we're using our property to satisfy a social service need that is sorely needed in the city of Bayonne, and I get that. Like I said, I want to continue moving along the process because there's a lot of learning and we don't want to go down the rabbit hole and we're too early in the in the process to stop it.

Having said that, if another entity, or if we find that we could do it on our own through DDD is that a possibility? Or DDD is going to mandate that it's regional because if DDD does that our hands are tied. I get that. It's just like Bergen United Way and I know he's been working great with you, Mr. Toronto. It just seems like as a Board, other than John being the partner here, we're losing a controlling interest on something that we should have a controlling interest.

**Executive Director John Mahon:**

The one thing is, we don't have the qualification to do the selection process on that side. That's the one thing why we had to have someone else come in on this.

**Chair Lombardo:**

I understand that, my concern is we have 20 spots, and only five Bayonne residents get that when we have a big need for it for the Bayonne people. Am I making myself clear about that? I just want to be on record saying that we need to move this forward, but also address the questions. And maybe when Mr. Toronto addresses the full Board, that's what questions can come up.

**Commissioner Cupo:**

Vinny, I think there's a tradeoff here. Whereas this new entity will allow us to sell bonds in the amount of around 12 million dollars. And we're going to get a building built for free basically. The 20 units with the tax credits. Is that correct John Mahon?

**Executive Director John Mahon:**

It's through tax credits, not bonds.

**Commissioner Cupo:**

Okay, tax credit. So we're gonna wind up with 12 million dollars worth of tax credits and because of this partnership is why we will be allowed to sell the tax credits that were funding this building. So there's a tradeoff.

**Chair Lombardo:**

I'm not comfortable with that trade off the way you presented it, because we're not in the real estate business.

**Commissioner Cupo:**

This has nothing to do with me being in the real estate business.

**Chair Lombardo:**

Not you, John. In general, John, not you being in the real estate business. We're not in the acquisition of properties and doing things, we already have the property. All I'm asking is, and I understand the trade off, but is the trade off worth not fulfilling a community need?

**Commissioner Cupo:**

We can scrap this whole idea. We have 12 million dollars sitting in the bank when we don't need anybody and we build it ourselves.

**Chair Lombardo:**

We can't because we cannot, under this guidance, and John Mahon you've told me this, have an operation, to facilitate the needs for the supportive services. So that's where that's where this has to come in. I just want to make sure that we're not giving up total control. But as I said, this is right down the road, right Paul? We can move forward, go in good faith, maybe when Mr. Toronto comes and talks to the whole Board, we'll get more clarity from it.

**Commissioner Cupo:**

Maybe he should have talked to us before.

**Chair Lombardo:**

Unfortunately, commissioner, we don't set the schedule with the state.

**Commissioner Cupo:**

He's with the Bergen County United Way, Tom, right?

**Chair Lombardo:**

Yes.

**Commissioner Cupo:**

So he is another entity. He's not the state, is he?

**Chair Lombardo:**

No, I have nothing but the highest faith. That John Mahon, and Paul Weeks have done the due diligence on our part. But the questions that are being raised tonight are ones that we have so, and Paul and John, if I'm out of line with my questions, please stop me. I understand. I just want to make sure everybody is fully aware of where we're going, what we have to do, and what's the big picture. As we move forward, we'll start drilling down to the more detailed.

**Commissioner Cupo:**

But I made a comment that we could scrap the site down because we have 12 million dollars and you said, no, we can't do that.

**Chair Lombardo:**

Not for the supportive services side.

**Executive Director John Mahon:**

If I could comment on that just very very briefly, very quickly. The Chairman is absolutely correct in that regard. The state would not give us the funds that they would earmark for these individuals. That's how the money's being supplied from the services.

We do not qualify for those to have those funds earmarked for us to provide the services because we don't provide those services. We don't have certifications, we don't have training. I don't know if that clarifies what the chairman said earlier.

**Chair Lombardo:**

Yes, that's a perfect example.

**Commissioner Cupo:**

But it doesn't clarify on my question. We could scrap the whole idea and build the building ourselves because we can self-fund and build the building ourselves. We don't need any of this. That was my question.

**Chair Lombardo:**

Not for supportive services.

**Commissioner Cupo:**

Scrapping the whole idea which throws everything out. And we could build a 40 unit building ourselves.

**Chair Lombardo:**

For what purpose, John?

**Commissioner Cupo:**

Build a 40 unit building?

**Chair Lombardo:**

Yeah, for what? What's going to be the makeup of the residents in that building?

**Commissioner Cupo:**

I'm just throwing a comment out there.

**Chair Lombardo:**

But you threw a comment out and now I'm asking you a question. We could build anything we have money. But what's the end result? I'm asking, what's your end result? And I'm not trying to be confrontational, you raise this question and I'm asking you.

**Commissioner Cupo:**

It sounds like you are.

**Chair Lombardo:**

No, I'm not being confrontational.

**Commissioner Cupo:**

I said to you and the group before, there's a trade-off here, we're gonna sell the tax credits and get 12 million dollars and this is the agreement that we're gonna go into. We get to control 20 senior apartments, and the other 20 are gonna be controlled by the Bergen County United Way on their selection process.

**Chair Lombardo:**

Right.

**Commissioner Cupo:**

And we're gonna build a building for free. And we're gonna still own the land. We're gonna build the building for free, and that's the trade-off.

**Chair Lombardo:**

I get that, I'm only advocating to make sure that we explore every avenue that we can that the residents of Bayonne, cannot come back and say, we built something, but we're letting all out of towners come in. So just asking that we explore every option. That's all I'm asking.

**Commissioner Cupo:**

But this is the deal that you guys designed and this is where it's leading us to.

**Chair Lombardo:**

Well, John now I take offense to your comment. This is not a deal that's done. It's not designed, it's full disclosure transparency and this is the purpose of this meeting tonight. Everything's been done out in the open regarding this. The board is acting as a committee as a whole, and that's why we're doing this.

**Commissioner Cupo:**

No doubt everything is done in the open.

**Chair Lombardo:**

Right, so when you say a deal you guys designed you're saying that, and I've had no interaction with that-

**Commissioner Cupo:**

I got on an email that this is what we're going to do going forward.

**Chair Lombardo:**

No, we have to act on it.

**Paul Weeks, Counsel:**

Can I try to kind of refocus everybody. Obviously, this is a board meeting and there's going to be a vote. I don't know whether, you know, I guess, arguing about, you know, what people said, what people meant.

**Commissioner Cupo:**

It's a lively discussion, it's not an argument.

**Chair Lombardo:**

Yeah, it's not argument it's a board meeting.

**Paul Weeks, Counsel:**

Okay, but I'm just, I'm ready to answer any other questions. I think John Cupo has a pretty good general understanding of what the proposal is and what the tax credit implications are. And that there are a lot of technical requirements from the, you know, mortgage financing agency and LIHTC, and for the supportive housing. And if anybody has any questions about that, I'm certainly happy to answer them. I think, like I said, John's point about scrapping the whole thing, certainly, the board has the option of doing that, and I don't have any legal opinion about that other than to say that this is the program that is being presented.

John Mahon is asking, and the board is being asked, to vote on whether or not to enter into this partnership, to move forward with the application for the tax credits. If this is something that the board is interested in moving forward with then you can move forward with a vote. If it's not, that's okay too. But I think everybody hopefully if you have any other questions about the program or its implications, I'm certainly happy to answer them and I think we have a meeting, there's supposed to be a meeting with Tom Toronto at some point to explain maybe some more of the details about the selection process for people with the developmental disabilities.

**Commissioner Cupo:**

Well, I'm in favor of this application.

**Chair Lombardo:**

So we have a motion?

**Commissioner Cupo:**

Oh you want me to make a motion?

**Chair Lombardo:**

You're going to make it and I'm going to second it. Are there any other questions?

**Commissioner Cupo:**

Okay. Well, what do you want me to say all in favor of-

**Chair Lombardo:**

No, no, no. Are there any other questions? So just for a clarification, this is just the first step of a long process to where we're going to get. We're not even near-

**Paul Weeks, Counsel:**

Long way to go.

**Chair Lombardo:**

Got a long way to go. So, Executive Director I turn the meeting back over to you.

**Executive Director John Mahon:**

Okay. So was that a motion and a second officially?

**Chair Lombardo:**

Commissioner Cupo?

**Executive Director John Mahon:**

I can read the resolution and I'll ask for a motion on it.

**Chair Lombardo:**

Yeah read the resolution, you've been too quiet.

**(6841) NOW THEREFORE BE IT RESOLVED**, that the Executive Director be authorized to enter into a partnership agreement forming the Bayonne Senior and Supportive Housing Partners, LP for the purpose of applying for the New Jersey Low Income Tax Credit Program,  
**AND BE IT FURTHER RESOLVED**, that the partnership will be between the Housing Authority of the City of Bayonne, the Bergen County's United Way/Madeline Housing Partners, & Penwal Affordable Housing Corporation LLC.

**Executive Director John Mahon:**

Is there a motion on that resolution and a second if there is a motion?

*Motion made by Commissioner Cupo and seconded by Chair Lombardo*

**Executive Director John Mahon:**

I'll do a roll call on that.

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

**OPPOSED:**

**ABSTAIN:**

**Commissioner Cupo:**

I would like to say that I am very happy and that this is the first part of the hurdle that we're gonna have to jump over to succeed in building a building and I say yes.

**Chair Lombardo:**

If you can believe it, I want to echo Commissioner Cupo saying I'm glad we're moving forward on this. They're still a lot of unanswered questions. And I enjoy that everybody having the opportunity to voice their questions, their concerns, and clarifications, we're on the same page. And I want to thank everybody for coming to this meeting tonight.

**Executive Director John Mahon:**

Mr. Chair, before you entertain, a motions to adjourn, can we just check on Ms Madison? Everything work out with the young lady that was on the call?

**Assistant Executive Director Patricia Madison:**

Yes I was able to reach her and first and foremost expressed to her our wishes that she get better. That her health is the number one consideration, that she should not be concerned about the waiting list right now. I text her my email address and I let her know what we need when she has a chance to get it, a little bit of something from the hospital showing the date that she was first, you know, admitted to the hospital and I told her keep in touch with us, let us know. She's gonna be there for a while. And I said, let us know. And keep in touch. Keep us updated and we will give you extensions as necessary, and don't worry about it. Just get well, and we'll deal with the housing when you get out of the hospital.

**Chair Lombardo:**

Before we adjourn, I'm happy to see first-hand how the operation works. I for one am very proud of our staff but Patricia you weren't at the last meeting. So please accept our condolences on the loss of your father. I was quite impressed with his write-up. He was a Renaissance man. He was a groundbreaker and I'm sure he's very proud of you as well. So please accept our condolences and we're gonna miss you in September.

**Assistant Executive Director Patricia Madison:**

Thank you. Thank you so much on both accounts. My dad was quite a character. He did a lot for the community. We're very proud of him and he lived a good long life and did a lot for the community, and, you know, we'll miss him, but we appreciate your warm thoughts and condolences. And I think I'm gonna miss you guys too.

**Chair Lombardo:**

And before we adjourn with, I believe, we're going to not have the August meeting, right John? But we may need to have it a special meeting again.

**Executive Director John Mahon:**

Correct, the August meeting was not scheduled, and then we may have just in case I always prepared everybody there may be meetings, if we need to do one thing or more than one thing at some point in relation to this application.

**Chair Lombardo:**

And one of those meetings may be asking Mr. Toronto to address the board on the plan.

**Commissioner Cupo:**

Would that be in person or by Zoom?

**Chair Lombardo:**

I personally like in person meetings.

**Executive Director John Mahon:**

I will just say Mr. Toronto is more than willing and happy and I think would prefer to do it in person.

**Chair Lombardo:**

Yeah. And it'll be an informational session, but because it'll be more than four commissioners there, we have to have it as a formal meeting, right? For the Sunshine Law.

**Commissioner McKennan:**

Okay, I gotta go, guys.

**Commissioner Cupo:**

So Vinny, just to go on what you said. So anything to catapult this or further this this application, today we could have special meetings. I'm all for that.

**Chair Lombardo:**

Yes, as I said from the beginning, this is not building and grounds, this is not finances, not executive. This is the whole board. It's a big enough project that the whole board will be involved.

And my comment before, I didn't include you in these meetings. I know Paul has put a lot of work into this and so has John into organizing this new entity that we had just entered into. And I just want to give them a shout out by saying very good. You know, we're capable hands with John and with Paul, and I want to thank you guys very much.

**Paul Weeks, Counsel:**

Thank you.

**Executive Director John Mahon:**

Thank you.

**Chair Lombardo:**

After we adjourn don't sign off because I have one of the statement to say that's not part of the meeting.

**Executive Director John Mahon:**

Okay, is there a motion to adjourn?

*Motion made by Commissioner Nesheiwat and seconded by Vice Chair Pyke*

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

**OPPOSED:**

**ABSTAIN:**

*The meeting was adjourned at 7:55 PM.*