The Caucus of the Housing Authority of the City of Bayonne was held on Thursday, June 23, 2020 at 4:00 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 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 **Thursday**, **June 23, 2020 at 4:30 PM** via teleconference.

#### **Members of the Board:**

A Resolution adopting an Ethics Policy is being prepared for your consideration.

A discussion on RFPs is planned during caucus.

A report from the Finance Committee

The Authority has received funding via the CARES Act for COVID-19 related activities and materials. Due to the unavailability of materials such as PPE and the current State of Emergency, it is vital that staff have the flexibility to make necessary purchases outside the normal procurement procedures. Supplies sell out quickly, so it is important when supplies are available that we need, we have the ability to purchase. Also some items are on back order so we do not know if we will get them in weeks or months, but we do know we will need the supplies for a very extended time until the pandemic is under control. A Resolution ratifying purchases made with CARES funding is being prepared for your consideration.

A Resolution approving the Operating Budget of the Authority for fiscal year beginning July 1, 2020 is being prepared for your consideration.

\*\*\*\*

A Resolution submitting the Authority's 2020 Budget to Department of Community Affairs is being prepared for your consideration.

A Resolution authorizing the FY2020 late budget submission to the State is being prepared for your consideration.

\*\*\*\*

BHA performs inspection services for Jersey City Housing for properties where a conflict of interest prevent Jersey City Housing from performing such inspections. We have had this cooperative agreement for many years. A Resolution approving the interlocal agreement between the Jersey City Housing Authority and the Bayonne Housing Authority to perform Housing Quality Standard inspections.

The fire escapes at Bridgeview Manor are in need of upgrades and restoration. Proposals were received, opened and reconfirmed for **RESTORATIONS AND UPGRADES OF FIRE ESCAPES AT BRIDGEVIEW MANOR** from the following:

#### **PROPESER**

DAL Design Group James R Guerra, P.A.

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

Bids were received, opened and reconfirmed for **CONVERTING PRIMARY ELECTRICAL SERVICE TO FOUR(4) SECONDARY SERVICES WITH THE PROVISION TO PROVIDE ELECTRICAL HEAT TO 250 UNITS AT BRIDGEVIEW MANOR** from the following:

 BIDDER
 BID AMOUNT

 APK Electric
 \$310,000.00

 ACI Electric
 \$217,000.00

Due to a delay in starting the job, a Resolution approving Change Order No. 1 for additional cost of material and prevailing wage rates associated with the later start date to ACI Electric for Converting Primary Electrical Service To Four (4) Secondary Services With The Provision To Provide Electrical Heat To 250 Units At Bridgeview Manor is being prepared for your consideration.

The annual elevator maintenance contract is expiring. There are several restrictions and protocols that need to be in place and taken for the bid process during the COVID-19 crisis. The current company has agreed to continue service at the same price. A Resolution authorizing to extend the contract with Clinton Elevator Services for Elevator Maintenance, Servicing and Testing at Various Sites is being prepared for your consideration.

\*\*\*\*\*

HUD announced waivers that PHAs can employ in response to the COVID-19 crisis. We would like to avail ourselves of any possible waiver that can apply to our programs. It does not mean that we have to employ those waivers, but it allows us to rain the option and maintain flexibility. A Resolution designating the waivers we may use is being prepared for your consideration.

\*\*\*\*

The draft Emergency and Infectious Disease Policy that was submitted to committee will be discussed.

Respectfully submitted,
John T. Mahon
Executive Director

**Chairman Lombardo:** 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. If we could do the pledge of allegiance.

Pledge of Allegiance.

Executive Director, John Mahon: Roll call.

Executive Director John Mahon then called the roll and the following were present: Chairman Lombardo, Vice Chair Pyke, Commissioners Cupo, Karczewski, and Doria.

**Commissioner Cupo:** Do we have a quorum?

Yes, yes, yes. We have one, two, three, four or five. Yeah, we're one over accordant even.

**Executive Director, John Mahon:** Do I hear a motion to suspend the reading of the minutes and file accordingly and have an excused absence for Commissioner Klimansky?

Chairman Lombardo: I make that motion.

Commissioner Karczewski: I second.

**Executive Director, John Mahon**: OK. All in favor.

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

**NAYS:** None. Motion passed.

**Executive Director, John Mahon**: OK, we have the one resolution that we're going to take off the consent agenda:

(6633) WHEREAS, from time to time the Bayonne Housing Authority, through regulation, law, or necessity, is required to adopt, update and amend its policies;

**NOW THEREFORE BE IT RESOLVED** that the following policy be updated 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 Policy listed:

#### **ETHICS POLICY**

CODE OF ETHICS AND STANDARDS OF CONDUCT HOUSING AUTHORITY OF THE CITY OF BAYONNE BOARD OF COMMISSIONERS CODE OF CONDUCT AND ETHICS

**Executive Director, John Mahon**: Do I hear a motion and a second on that resolution?

**Commissioner Doria:** I'll move.

Vice Chair Pyke: Second.

Executive Director, John Mahon: Are there any questions on that resolution? OK, on that

resolution:

Commissioner Doria: Yes.

Commissioner Cupo: Yes.

Commissioner Karczewski: I.

Vice Chair Pyke: Yes.

Chairman Lombardo: Yes.

Executive Director, John Mahon: OK, before you get Lincoln Center, Gemzar, I'm sorry.

**Chairman Lombardo:** I would like to suggest that we do a roll call for the consent agenda as well.

**Executive Director, John Mahon**: OK, can you just excuse me for one quick moment? I apologize.

(6632) 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 **6632**, **6634-6644**, are hereby adopted, effective immediately, based upon the single vote of the Commissioners.

**PHA Board Resolution** Approving Operating Budget

Previous editions are obsolete

# 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

information to determine if the operating plan adopted by the public housing agency (PHA) and the amounts are reasonable, and that the PH prescribed by HUD. Responses are required to obtain benefits. This information does	
PHA Name: Bayonne Housing Authority PHA Code: NJ 012	
PHA Fiscal Year Beginning: <u>July 1, 2020</u> Board Resolution Number: <u>6634</u> Acting on behalf of the Board of Commissioners of the above-named PHA as its Chairpersor certifications and agreement to the Department of Housing and Urban Development (HUD) approval of (check one or more as applicable):	n, I make the following regarding the Board's DATE
Project Based Operating Budget approved by Board resolution on:	June 23, 2020_
☐ 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 act if applicable, is true and accurate.	ecompaniment herewith,
Warning: HUD will prosecute false claims and statements. Conviction may result in criminal an U.S.C. 1001, 1010, 1012.31, U.S.C. 3729 and 3802)	d/or civil penalties. (18
Print Board Chairperson's Name:  Mr. Wingout Lombordo	Date:6/23/20
Mr. Vincent Lombardo	
Previous editions are obsolete	form HUD- <b>52574</b> (08/2005)

#### 2020

## HOUSING AUTHORITY BUDGET RESOLUTION

### **Bayonne Housing Authority**

Resolution # 6635

FISCAL YEAR:

FROM:

July 1, 2020

TO:

June 30, 2021

WHEREAS, the Annual Budget and Capital Budget for the Bayonne Housing Authority for the fiscal year beginning,  $\underline{\text{July 1}}$ ,  $\underline{2020}$  and ending,  $\underline{\text{June 30, 2021}}$  has been presented before the governing body of the  $\underline{\text{Bayonne Housing Authority}}$  its open public meeting of  $\underline{\text{June 23, 2020}}$ ; and

WHEREAS, the Annual Budget as introduced 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 introduced reflects Total Capital Appropriations of \$3,160,177 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$0 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 <u>June 23, 2020</u> that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Bayonne Housing Authority for the fiscal year beginning, <u>July 1, 2020</u> and ending, <u>June 30, 2021</u> 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 Capitath Budget/Program for adoption on August 11, 2020.

(Secretary's Signature)

Governing Body

Recorded Vote

Ave

ed vote Nay Abstain

Absent

Member:

John Cupo Vincent Lombardo

Maria Karczewski Irene Rose Pyke

Matthew Klimansky

Robert Doria

X

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(6636) WHEREAS, the Housing Authority of the City of Bayonne previously authorized the initial submission of its FY2020 Agency Budget at the June 23, 2020 Board of Commissioners Meeting, and;

**WHEREAS**, the Authority was recently informed by the State of New Jersey that they wanted a late budget resolution adopted by the Authority due to the fact that the Authority has not adopted its Agency Budget by May 1, 2020, and;

**WHEREAS**, the Authority, in an effort to more accurately project the subsidy amount that it will receive was hopeful HUD would make available the 2020 proration factor;

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the Housing Authority of the City of Bayonne authorizes the FY2020 late budget submission.

(6637) WHEREAS, the CARES Act was passed effective March 27, 2020 and WHEREAS, the CARES Act provides certain supplemental funding as a result of the COVID -19 crisis and must be obligated/expended by December 31, 2020 and WHEREAS, due to the nature of the supply chain as a result of the COVID-19 crisis, normal procurement procedures and policies cannot be followed and effectuate the purpose of protecting tenants and staff in order to acquire material especially, including, but not limited to PPE and

**WHEREAS**, immediate decisions on such equipment and supplies must be made in order to purchase such material when available due to limited supplies and

**WHEREAS**, New Jersey is in a State of Emergency and the entire country is affected by the COVID-19 crisis resulting in emergency purchases to be made, now therefore be it resolved

**NOW THEREFORE BE IT RESOLVED**, that the attached purchases by the Bayonne Housing Authority be considered emergency purchases due to the nature and availability of the products and qualifying under applicable laws and regulations and be it further resolved

**BE IT FURTHER RESOLVED**, that the board of Commissioners of the Bayonne Housing Authority ratify such purchases.

(6638) WHEREAS, the Housing Authority of the City of Bayonne (the "Authority") and the Housing Authority of the City of Jersey City (the "JCHA") are both local units as defined in the Inter local Services Act, N.J.S.A. 40:8A-1 et seq. and, as such, may contract for the joint provision within their several jurisdictions of any service which either one is empowered within its own jurisdiction to provide without the need for public bidding; and WHEREAS, the JCHA had required services for the inspection of units of the JCHA (the "Inspection Services"); and

WHEREAS, the Authority has currently provided Inspection Services in accordance with the terms set forth in the form of an inter municipal contract for said services (the "Contract"); and

WHEREAS, the current contract is up for renewal after a successful implementation of the contract, and

**NOW THEREFORE BE IT RESOLVED**, that the Executive Director is authorized to enter into negotiations with JCHA to renew the current contract, and be it further

**RESOLVED** that the Contract is hereby approved, subject to acceptance of the terms to be negotiated by the Authority, and that the Board's Chairman and Executive Director are

hereby authorized and directed to execute the contract in such form as shall be approved based upon the negotiations, and

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

(6639) WHEREAS, in accordance with the United States Department of Housing and Urban Development ("HUD") procurement of professional services, the Housing Authority of the City of Bayonne (the "Authority") on June 14, 2019 and June 17, 2019 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:

# RESTORATIONS AND UPGRADES OF FIRE ESCAPES AT BRIDGEVIEW MANOR

WHEREAS, as of the 11:00 AM July 16, 2019 deadline for receipt of proposals in response to the RFP, the following Architectural/Engineering firms submitted proposals as follows:

#### ARCHITECTURAL/ENGINEERING FIRMS

DAL Design Group

James R Guerra, P.A.

**WHEREAS**, the Authority's Executive Director has evaluated the proposals received based on evaluation criteria included in the RFP and recommends that the Authority accept the proposal of DAL Design Group of Bayonne, New Jersey to perform the A/E Services, 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,

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE AUTHORITY, that the proposal of DAL Design Group of Bayonne, New Jersey 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 of Bayonne, New Jersey to perform said A/E Services, 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 of Bayonne, New Jersey 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.

(6640) WHEREAS, the Housing Authority of the City of Bayonne (the "Authority") publicly advertised an Invitation for Bids (the "Invitation") in THE JERSEY JOURNAL on April 1, 2019 and April 8, 2019 for CONVERTING PRIMARY ELECTRICAL SERVICE TO FOUR(4) SECONDARY SERVICES WITH THE PROVISION TO PROVIDE ELECTRICAL HEAT TO 250 UNITS AT BRIDGEVIEW MANOR the ("Project") and

**WHEREAS**, the Invitation for Bids provided interested parties with information on how to acquire plans and specifications (the "Specifications") for the Project and indicated that the bids would be received and opened at 11:00 AM on May 9, 2019 whereupon the bids were opened at the Authority's office and read aloud as follows:

 BIDDER
 BID AMOUNT

 APK Electric
 \$310,000.00

 ACI Electric
 \$217,000.00

**WHEREAS**, the Board of Commissioners have reviewed the bid placed by <u>ACI Electric</u> and determined that bidder was a responsible contractor and recommended that the Authority award a contract for the referenced project to this Contractor, 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

BE IT FURTHER RESOLVED BY THE COMMISSIONERS OF THE AUTHORITY that its appropriate officers are hereby authorized and directed to enter into a contract with <u>ACI Electric</u> of Saddle Brook, New Jersey to perform the Project in the amount of \$217,000.00.

(6641) WHEREAS, the Housing Authority of the City of Bayonne (the "Authority") on June 23, 2020 adopted Resolution No. 6641 authorizing a contract with ACI Electric for Converting Primary Electrical Service To Four (4) Secondary Services With The Provision To Provide Electrical Heat To 250 Units At Bridgeview Manor, and

**WHEREAS**, due to a delay in starting the job, an additional cost of material and prevailing wage rates associated with the later start date during the prosecution of the work has been identified, and

**WHEREAS**, in order to compensate for the new material costs and wage rates, the Architect proposed a Change Order No. 1 to the Project at a total additional cost to the Authority of \$5,500.00 requested by the Authority with respect to the original contract for Converting Primary Electrical Service To Four (4) Secondary Services With The Provision To Provide Electrical Heat To 250 Units At Bridgeview Manor

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Authority, that the Authority hereby authorizes Change Order No. 1 in the amount of \$5,500.00 to ACI Electric for these services.

(6642) WHEREAS, by Resolution No. 6414, adopted by the Board of Commissioners of the Housing Authority of the City of Bayonne (the "Authority") on June 20, 2017, a contract

was awarded to Clifton Elevator for Elevator Maintenance, Servicing and Testing at Various Sites in the amount of \$159,300.00, and

WHEREAS, the current elevator maintenance contract is expiring, and

**WHEREAS**, there are several restrictions and protocols that need to be in place and taken for the bid process during the COVID-19 crisis, and

WHEREAS, the current company has agreed to continue service at the same price,

**NOW, THEREFORE BE IT RESOLVED**, that an extension contract, as permitted by the New Jersey Local Public Contracts Law, for the period of one year commencing on July 1, 2020 and terminating on June 30, 2021 be awarded to Clifton Elevator for Elevator Maintenance, Servicing and Testing at Various Sites in the amount of \$159,300.00.

(6643) 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

**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.

(6644) WHEREAS, the Executive Director of the Housing Authority of the City of Bayonne (the "Authority") has prepared the attached list of claims and payments (the "List") for consideration by the Authority Board of Commissioners, and

WHEREAS, the List has been reviewed by the Commissioners,

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

**Executive Director, John Mahon:** Do I hear a motion to adopt the consent agenda and a second?

Commissioner Karczewski: I move

Vice Chair Pyke: I second.

**Executive Director, John Mahon:** OK, so on that resolution:

**Commissioner Doria:** Yes.

Commissioner Cupo: Yes.

Commissioner Karczewski: Yes.

Vice Chair Pyke: Yes.

Chairman Lombardo: Yes.

**Executive Director, John Mahon:** The regular order of business and turn the meeting over to you if there's any other public comment or question or other business.

**Chairman Lombardo:** Well, first all, we have anyone from the public on the call.

Chairman Lombardo: Once again, these have been trying times only for us, for the country and I want to commend both my fellow commissioners for their availability. I want to once again commend the staff and Kathy as well. Things have been moving very smooth and the information has been great. And I appreciate the dialogue. The one thing they want to look to the future is we may move the time of our meeting to the five o'clock so we have enough time to discuss at the caucus from four to five because there's a lot of good dialogue, a lot of good information. And once again, I wish everybody really, if it's safe and well and by next meeting. John will probably be remote as well. But we're hoping to go live with the iPad if needed in September.

**Executive Director, John Mahon:** Or August or whenever the next one is.

**Chairman Lombardo:** Yes, well, we want to do a test drive on Thursday. Right. Make everybody comfortable with himself. But the first official meeting we had would be September.

**Executive Director, John Mahon:** Right and Aaron also talked about that if we so desire, which would not be a bad idea, I told him he will do it and help us out with a tutorial for everybody just to make sure they're comfortable.

**Chairman Lombardo:** Yes. At this time, I open the door to the fellow commissioners if you'd like to make a statement or share some information.

Chairman Lombardo: I think you need a motion to adjourn. I'll make that motion.

Commissioner Karczewski: I second.

**Executive Director, John Mahon:** All in favor?

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

**NAYS:** None. CARRIED.

The meeting was then adjourned at 4:45 PM.