



Housing Authority of the City of Perth Amboy

881 AMBOY AVENUE, P.O. BOX 390, PERTH AMBOY, NJ 08862
TELEPHONE: (732) 826-3110
FAX: (732) 826-3111

EDNA DOROTHY CARTY-DANIEL, Chairperson
DAVID BENYOLA, Vice-Chairman
REVEREND GREGORY PABON
MIGUEL A. AROCHO
SHIRLEY JONES
PASTOR BERNADETTE FALCON-LOPEZ
JOHN C. ANAGNOSTIS

DOUGLAS G. DZEMA, P.H.M.
Executive Director

EDWARD TESTINO
Counsel

**THE MINUTES OF THE REGULAR MONTHLY MEETING
OF
THE BOARD OF COMMISSIONERS
OF
THE HOUSING AUTHORITY OF THE CITY OF PERTH AMBOY**

MONDAY, SEPTEMBER 14, 2020

1:00 PM

Virtual ZOOM Meeting

The Board of Commissioners of the Housing Authority of the City of Perth Amboy met for the Regular Monthly meeting on Monday, September 14, 2020 @ 1:00 PM through a virtual ZOOM conference.

<Moment of Silence.>

<Pledge of Allegiance.>

The meeting was called to order by Chairperson Carty-Daniel and statement read as to proper notification of the meeting given in accordance with the Open Public Meeting Act Law and in accordance with state and HUD mandated COVID-19 statements, as follows:

“Adequate Notice has been made as to the time, place, and date of the meeting and as to the nature of business to be discussed being the general business of the Authority.”

Upon roll call, those present and absent were as follows:

Present:	Chairperson	Edna Dorothy Carty-Daniel
	Vice-Chairman	David Benyola
	Commissioner	Reverend Gregory Pabon
	Commissioner	Miguel A. Arocho
	Commissioner	Shirley Jones
	Commissioner	Pastor Bernadette Falcon-Lopez
	Commissioner	John C. Anagnostis

The Chairperson declared said quorum present.

On the motion of Vice-Chairman Benyola, which motion was seconded by Commissioner Pabon, the Board concurred to approve the Minutes of the Regular Monthly Board Meeting of August 11, 2020, as presented. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson David Benyola	X			
Commissioner Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner John C. Anagnostis	X			

Discussion of Agenda Topics- None reported.

Presentation by Richard Larsen, Partner/CPA of Novogradac on Housing Authority of the City of Perth Amboy Fiscal Audit for Year Ended March 31, 2020. Prior to the Board Meeting, the Commissioner’s Finance Committee (Dave Benyola, John Anagnostis, Greg Pabon, Douglas Dzema, Thomas Furlong, Richard Larsen) met virtually to discuss the audit.

Resolutions:

The following resolution was introduced by Vice-Chairman Benyola, read in full and considered:

RESOLUTION # 3357-20

TO ACCEPT FISCAL AUDIT FOR YEAR ENDED MARCH 31, 2020

WHEREAS, N.J.S.A. 40A: 5A-15 requires the governing body of each local authority to conduct an annual audit of its accounts; and

WHEREAS, the annual report for the fiscal year ended March 31, 2020, has been completed and filed with the State of New Jersey-Department of Community Affairs pursuant to N.J.S.A. 40A: 5A-15; and

WHEREAS, N.J.S.A. 40A: 5A-17 requires the governing body of each authority to, within forty-five (45) days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally received the annual audit report, and, specifically, the second of the audit report entitled "Schedule of Findings and Questioned Costs", and had evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit and have specifically reviewed the sections of the audit report entitled "Schedule of Findings and Questioned Costs" in accordance with N.J.S.A. 40A: 5A- 17; and

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Housing Authority of the City of Perth Amboy hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ending March 31, 2020, and, specifically, has reviewed the section of the audit report entitled "Schedule of Findings and Questioned Costs", and had evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE, IT FURTHER RESOLVED, that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board, the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

MOVED/SECONDED:

Resolution moved by _____ **Commissioner Jones** _____

Resolution seconded by ___ **Commissioner Falcon-Lopez** _____

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson David Benyola	X			
Commissioner Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and resolution was adopted.

The following resolution was introduced by Commissioner Falcon-Lopez read in full and considered:

RESOLUTION # 3358-20

WHEREAS, the Housing Authority of the City of Perth Amboy has determined that is in the best Interest of the Authority and the efficient operation of the Authority to implement indemnification for to officials, employees and appointees of the Authority pursuant to State law.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of Perth Amboy as follows:

Except as hereinafter provided, the Housing Authority of the City of Perth Amboy, hereinafter known as the Housing Authority shall, upon the request of any present or former official, employee or appointee of the Housing Authority for Indemnification and legal defense of any civil action brought against said person or persons arising from an act or omission falling within the scope of their public duties.

Pursuant to 59:10-4. The Indemnification and defense provided for in this resolution shall include exemplary or punitive damages resulting from the employee's civil violation of State or Federal Law if, in the opinion of the Board of Commissioners of the Housing Authority of the City of Perth Amboy the acts committed upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an Intentional wrong.

The terms of this resolution and the definition of official, employee and appointee are to be construed liberally in order to effectuate the purposes of this ordinance except that these terms shall not mean a) any person who is not a natural person; b) any person while providing goods or services of any kind under any contract with the Housing Authority except an employment contract; c) any person while providing legal or engineering services for compensation unless said person is a full-time employee of the Housing Authority; and d) any person who as a condition of his or her

appointment or contract is required to indemnify and defend the Housing Authority and/or secure insurance.

The Housing Authority shall provide for defense of and Indemnify any present or former official, employee or appointee of the Housing Authority who becomes a defendant in a civil action if the person or persons involved a) acted or failed to act in a manner in which the Housing Authority has or had an interest; b) acted or failed to act in the discharge of a duty imposed or authorized by law; and c) acted or failed to take action In good faith. For purposes of this ordinance, the duty and authority of the Housing Authority to defend and indemnify shall extend to a cross-claim or counterclaim against said person.

In any other action or proceeding, including criminal proceedings, the Housing Authority may provide for the defense of a present or former official, employee or appointee, if the Board of Commissioners of the Housing Authority of the City of Perth Amboy concludes that such representation is in the best interest of the Housing Authority and that the person to be defended acted or failed to act In accord with the standards set forth In ordinance.

Whenever the Housing Authority provides for the defense of any action set forth herein and as a condition of such defense, the Housing Authority may assume exclusive control over the representation of such persons defended and such personal shall cooperate fully with the Housing Authority.

The Housing Authority may provide for the defense pursuant to this Resolution by authorizing *its* attorney to act In behalf of the person being defended or by employing other counsel for this purpose or by asserting the right of the Housing Authority under any appropriate insurance policy that requires the Insurer to provide defense.

BE IT FURTHER RESOLVED by the Board of Commissioners that the Housing Authority of the City of Perth Amboy Is authorized to provide legal counsel and indemnification for officials, employees and appointees to the Housing Authority In certain actions brought against said officials, employees and appointees.

MOVED/SECONDED:

Resolution moved by _____ Vice-Chairman Benyola _____

Resolution seconded by _____ Commissioner Pabon _____

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson David Benyola	X			
Commissioner Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and resolution was adopted.

<The Board concurred to table approval of the Domestic Violence Policy for Public Employees. >

The following resolution was introduced by Commissioner Falcon-Lopez, read in full and considered:

RESOLUTION # 3359-20

**RESOLUTION AWARDING CHANGE ORDER #1 TO ADIRONDACK CONTRACTING, INC.
FOR THE SITE WORK AT WILLOW POND VILLAGE FOR THE
AMOUNT OF \$11,920.00**

WHEREAS, the Housing Authority of the City of Perth Amboy (the "Authority") awarded the contract through a fair and open process for the site work at Willow Pond Village to Adirondack Contracting, Inc. for the amount of \$35,000.00; and

WHEREAS, the Authority wishes to add parking lot line striping, three 7-loop bike racks for the residents of Willow Pond Village and a park bench; and

WHEREAS, the Authority received a price of \$11,920.00 to perform the additional work which has been determined to be a fair and reasonable price; and

WHEREAS, sufficient funds are available to pay for the required services.

NOW THEREFORE BE IT RESOLVED by the Board of the Authority as follows:

The Authority awards Change Order #1 in the amount of \$11,920.00 to Adirondack Contracting, Inc. and is hereby directed to amend the contract to the new price of \$46,920.00.

MOVED/SECONDED:

Resolution moved by _____ **Vice-Chairman Benyola** _____

Resolution seconded by _____ **Commissioner Pabon** _____

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson David Benyola	X			
Commissioner Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and resolution was adopted.

The following resolution was introduced by Commissioner Arocho, read in full and considered:

RESOLUTION # 3360-20

**RESOLUTION AWARDING THE CONTRACT TO HIGHWAY EQUIPMENT COMPANY OF NEW
JERSEY, INC FOR THE SUPPLY AND DELIVERY OF A NEW KUBOTA RTV X1100CWL
FOR THE AMOUNT OF \$23 655.00**

WHEREAS, the Housing Authority of the City of Perth Amboy (the "Authority") has a need to purchase a grounds maintenance vehicle with a plow for Willow Pond Village; and

WHEREAS, the Authority solicited prices and specifications from six RTV dealers for different RTV models; and

WHEREAS, based on price and other factors, the Authority decided that the most advantageous vehicle to serve the grounds of Willow Pond Village was the Kubota x1100CWL; and

WHEREAS, the Authority received a price of \$23,655.00 for the vehicle was determined to be fair and reasonable- and

WHEREAS, sufficient funds are available to pay for the vehicle.

NOW THEREFORE BE IT RESOLVED by the Board of the Authority as follows:

The Authority ratifies the award to Highway Equipment Company of New Jersey, Inc. for the supply and delivery of a new Kubota RTV XII 00CWL for a total cost of \$23 655.00.

MOVED/SECONDED:

Resolution moved by _____ **Commissioner Anagnostis** _____

Resolution seconded by _____ **Commissioner Jones** _____

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson David Benyola	X			
Commissioner Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner John C. Anagnostis	X			

The Chairperson thereupon declared said motion was carried and resolution was adopted.

On the motion of Vice-Chairman Benyola, which motion was seconded by Commissioner Arocho, the Board concurred to approve the September 2020 Bill List and Communications, as presented. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson David Benyola	X			
Commissioner Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner John C. Anagnostis	X			

On the motion of Commissioner Jones, which motion was seconded by Commissioner Arocho, the Board concurred to approve the September 2020 PARTNER payment of expenses incurred through Dunlap RAD and Hansen RAD, as presented. Upon roll call, the following vote was carried:

VOTE:

Board Member	Yes	No	Abstain	Absent
Chairperson Edna Dorothy Carty-Daniel	X			
Vice Chairperson David Benyola	X			
Commissioner Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho	X			
Commissioner Shirley Jones	X			
Commissioner Pastor Bernadette Falcon-Lopez	X			
Commissioner John C. Anagnostis	X			

Discussion took place, in reference to COVID-19, status of wellness calls to Public Housing residents, and update on guards booths at Senior sites. The Executive Director informed the Board that staff would begin exterminating/inspections/implementing in-office protocols.

Discussion took place of the NRTC Neighborhood Planning Proposal between PARTNER and New Jersey Community Capital (NJCC) for Planning Services for the Gateway Neighborhood of Perth Amboy, NJ.

The Board was updated on the PARTNER/Property Acquisition for the Habitat for Humanity projects.

PUBLIC SESSION

- No comment from the public.

UNFINISHED BUSINESS – None reported.

NEW BUSINESS – None reported.

REPORT OF THE ATTORNEY

Edward Testino, Counsel updated the Board on the Coronavirus (COVID-19), eviction moratorium is still on-going and informed the Board that remote virtual meetings will continue until further notice.

REPORT OF THE EXECUTIVE DIRECTOR

Douglas Dzema commented to the Board on the following:

- o Virtual ZOOM Staff Meeting to take place on September 18th @ 3:00 p.m.
- o Recognized the passing of Gary Lampley/ Climmie Ousley/ Rory Chestnut

On the motion of Commissioner Falcon-Lopez, which motion was seconded by Commissioner Jones, the Board concurred to adjourn.

Respectfully submitted by,

Douglas G. Dzema

Douglas G. Dzema
Executive Director/Secretary