



Housing Authority of the City of Perth Amboy

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EDNA DOROTHY CARTY-DANIEL, Chairperson
DAVID BENYOLA, Vice-Chairman
MIGUEL A. AROCHO
SHIRLEY JONES
JOHN C. ANAGNOSTIS
FERNANDO A. GONZALEZ
GREGORY PABON

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**

TUESDAY, OCTOBER 12TH, 2021

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 Tuesday, October 12th, 2021 @ 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 with State and HUD mandated COVID-19 statements and in conformation with the emergency guidelines under the Department of Community Affairs, 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	Shirley Jones
	Commissioner	John C. Anagnostis
	Commissioner	Fernando A. Gonzalez
	Commissioner	Gregory Pabon

Excused:	Commissioner	Miguel A. Arocho
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The Chairperson declared said quorum present.

On the motion of Commissioner Jones, which motion was seconded by Vice-Chairman Benyola, the Board concurred to approve the Minutes of the Regular Monthly Board Meeting of September 15th, 2021, 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 Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner John C. Anagnostis	X			
Commissioner Fernando A. Gonzalez	X			
Commissioner Gregory Pabon	X			

Discussion of Agenda Topics- None reported.

Resolutions:

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

RESOLUTION NO. _3398-21_

TO APPROVE THE AMENDMENT TO SECTION 8 ADMIN PLAN/REVISION OF PAYMENT STANDARDS

WHEREAS, this is to recommend increasing the payment standards to 110% of the 2022 Fair Market Rents, which were effective 10/1/2021. This is necessary as the COVID-19 pandemic has caused a decrease in available units and a corresponding increase in rents; and

WHEREAS, the changes are as follows:

- 0 BR- \$1,148 to \$1,402
- 1 BR - \$1,508 to \$ 1,600
- 2 BR - \$1,770 to \$2,036
- 3 BR - \$2,228 to \$2,516
- 4 BR - \$2,340 to \$2,801
- 5 BR - \$2,691 to \$3,221
- 6 BR - \$3,259 to \$3,642
- 7 BR - \$3,393 to \$4,062

WHEREAS, HUD requires payment standards to be set between 90% and 110% of the current FMRs. They can be no less than 90%. The payment standards established reflect the highest rent the Authority will approve. The Authority must determine the amount to set the payment standards in accordance with HUD requirements, comparable rents in the community, and the average gross rents of units on the section 8 program; and

WHEREAS, the revised payment standard is effective, November 1, 2021, for all new admissions and change of units, and 1/1/22 for all recertifications;

NOW, THEREFORE BE IT RESOLVED, the Board of Commissioners of the Housing Authority of the City of Perth Amboy approved the amendment of the Section 8 Admin Plan – Revision of Payment Standards, as presented.

MOVED/SECONDED:

Resolution moved by _____ Vice-Chairman Benyola _____

Resolution seconded by _____ Commissioner Gonzalez _____

VOTE:

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

The Chairperson thereupon declared such resolution has been approved.

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

RESOLUTION NO. _3399-21_

RESOLUTION BY THE HOUSING AUTHORITY OF THE CITY OF PERTH AMBOY APPROVING, RATIFYING, AND AUTHORIZING (1) THE CONVERSION OF THIRTY-ONE (31) UNITS IN THE MIXEDFINANCE PROJECT COMMONLY KNOWN AS BIRCHWOOD AT PERTH AMBOY TO SECTION 8 ASSISTANCE PURSUANT TO THE HUD RENTAL ASSISTANCE DEMONSTRATION PROGRAM (2) THE EXECUTIVE DIRECTOR TO NEGOTIATE AND APPROVE THE EXECUTION OF ANY AND ALL INSTRUMENTS, DOCUMENTS, AGREEMENTS, AFFIDAVITS, AND CERTIFICATES CONTEMPLATED THEREBY OR RELATED THERETO.

WHEREAS, the Housing Authority of the City of Perth Amboy (the "Authority") owns fee simple interest in certain real property located at 618 New Brunswick Avenue, Perth Amboy, NJ 08861 (the "Property"), which is improved with a multifamily housing project consisting of eighty-four (84) units, including thirty-one (31) public housing units (the "PH Units"), commonly known as Birchwood at Perth Amboy (the "Project");

WHEREAS, the Authority ground leased the Property to Parkview Senior Housing, LLC, a New Jersey limited liability company (the "Owner"), pursuant to that certain Ground Lease dated as of August 17, 2010 (the "Ground Lease");

WHEREAS, the managing member of the Owner is Parkview MM, LLC, a New Jersey limited liability company, which has (i) as its managing member Ingerman Affordable Housing, LLC, a New

Jersey limited liability company and (ii) as a member Senior Enhanced Living Facility, LLC, a New Jersey limited liability company (the "Authority Member");

WHEREAS, the Authority Member has as its sole member HAD, LLC, a New Jersey limited liability Company ("HAD" and together with the Authority Member, the "Authority Entities"), and the Authority is the sole member of HAD;

WHEREAS, the Authority applied to the U.S. Department of Housing and Urban Development ("HUD") to convert the PH Units to Section 8 Project Based Voucher ("PBV") assistance pursuant to the Rental Assistance Demonstration ("RAD") program, and HUD approved the RAD conversion and issued a RAD Conversion Commitment for the Project on September 11, 2021;

WHEREAS, pursuant to the RAD program the Authority and the Owner will enter into a PBV Housing Assistance Payments Contract, Rental Assistance Demonstration Use Agreement (the "RAD Use Agreement") and other ancillary documents required by HUD in connection with the RAD conversion (collectively, the "RAD Documents") providing PBV assistance and long term affordability restrictions at the Project; **WHEREAS**, in furtherance of the RAD conversion, the Authority will (i) amend the Ground Lease to incorporate provisions required by the RAD program, (ii) subordinate the Ground Lease and any Authority held mortgages encumbering the Property to the RAD Use Agreement, and (iii) terminate that certain Regulatory and Operating Agreement, dated as of August 17, 2010 and that certain Mixed-Finance ACC Amendment to Annual Contributions Contract, dated as of August 23, 2010 (collectively, the "Authority Transactions");

WHEREAS, in furtherance of the RAD conversion, the Owner will (i) amend that certain Amended and Restated Operating Agreement of the Owner, dated as of August 17, 2010, (ii) subordinate the Ground Lease and any existing mortgages or use restrictions encumbering Property to the RAD Use Agreement and (iii) execute the RAD Documents (collectively, the "Owner Transactions");

WHEREAS, the Authority, on behalf of itself and the Authority Entities, desires to approve and authorize (i) the conversion of the PH Units at the Project to PBV assistance under the RAD program, (ii) the RAD Documents, (iii) with respect to the Authority, the Authority Transactions and (iv) with respect to the Authority Entities, the Owner Transactions; and

WHEREAS, the forgoing RAD conversion activities are essential to the preservation of affordable housing in the City of Perth Amboy, New Jersey and are in furtherance of the Authority's mission.

NOW THEREFORE, the Board of Commissioners of the Authority hereby authorizes and approves the following:

RESOLVED, that Douglas Dzema, the Executive Director of the Authority, is hereby authorized, empowered and directed to enter into and take all actions necessary to effectuate on behalf of the Authority and the Authority Entities (i) the RAD conversion of the Project, (ii) the RAD Documents, (iii) the Authority Transactions, (iv) the Owner Transactions, and (v) any additional or ancillary documents, instruments, certifications, guarantees, and agreements required thereunder and to take such further actions to carry out the forgoing transactions and as may be necessary in connection with the closing of the RAD conversion of the Project or related thereto;

RESOLVED, that to the extent any of the actions authorized by this Resolution have already been taken, such actions are hereby ratified and confirmed as the valid actions of the Authority, effective as of the date such actions were taken.

This Resolution shall be in full force and effect from and upon its adoption.

MOVED/SECONDED:

Resolution moved by _____ Vice-Chairman Benyola _____

Resolution seconded by _____ Commissioner Anagnostis _____

VOTE:

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

The Chairperson thereupon declared such resolution has been approved.

On the motion of Commissioner Anagnostis, which motion was seconded by Vice-Chairman Benyola, the Board concurred to the October 2021 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 Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner John C. Anagnostis	X			
Commissioner Fernando A. Gonzalez	X			
Commissioner Gregory Pabon	X			

On the motion of Vice-Chairman Benyola, which motion was seconded by Commissioner Pabon, the Board concurred to approve the October 2021 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 Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner John C. Anagnostis	X			
Commissioner Fernando A. Gonzalez	X			
Commissioner Gregory Pabon	X			

Discussion took place, in reference to updated information on COVID-19 CDC guidelines. Booster shots for Pfizer are now available and the Moderna and J&J boosters are expected to follow by the end of the month. The Housing Authority and PARTNER will still abide by use of masks in the common areas of all buildings.

The Board was updated on the PARTNER/Property Acquisition for the Habitat for Humanity projects, ASK Scholarships for Youth and Continuing Education and Family Self-Sufficiency/Homeownership Program.

PUBLIC SESSION

- No comment from the public.

UNFINISHED BUSINESS – None reported.

NEW BUSINESS – None reported.

REPORT OF THE ATTORNEY – None reported.

REPORT OF THE SECRETARY-TREASURER (Executive Director)

Douglas Dzema, Executive Director updated the Board on the status of the Eviction Moratorium and the RAD closing transaction with HUD for the Birchwood (Parkview).

On the motion of Vice-Chairman Benyola, which motion was seconded by Commissioner Jones, the Board concurred to adjourn.

Respectfully submitted by,

Douglas G. Dzema

Douglas G. Dzema
Executive Director/Secretary