



# Housing Authority of the City of Perth Amboy

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EDNA DOROTHY CARTY-DANIEL, Chairperson  
DAVID BENYOLA, Vice-Chairman  
REVEREND GREGORY PABON  
MIGUEL A. AROCHO  
SHIRLEY JONES  
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**

**TUESDAY, MARCH 9, 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, March 9, 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	Reverend Gregory Pabon
	Commissioner	Shirley Jones
	Commissioner	John C. Anagnostis

Absent:	Commissioner	Miguel Arocho
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The Chairperson declared said quorum present.

On the motion of Vice-Chairman Benyola, which motion was seconded by Commissioner Jones, the Board concurred to approve the Minutes of the Regular Monthly Board Meeting of February 9, 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 Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner John C. Anagnostis	X			

Discussion of Agenda Topics- None reported.

Resolutions:

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

**RESOLUTION NO. \_3377-21\_**

**RESOLUTION BY THE HOUSING AUTHORITY OF THE CITY OF PERTH AMBOY APPROVING, RATIFYING, AND AUTHORIZING (1) THE CONVERSION OF TWENTY-NINE (29) UNITS IN THE MIXED-FINANCE PROJECT COMMONLY KNOWN AS WILLOW POND VILLAGE APARTMENTS 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 601 Chamberlain Avenue, Perth Amboy, NJ 08861 (the “**Property**”), which is improved with a multifamily housing project consisting of seventy (70) units, including twenty-nine (29) public housing units (the “**PH Units**”), commonly known as Willow Pond Village Apartments (the “**Project**”);

**WHEREAS**, the Authority ground leased the Property to Perth Willow Pond, LLC, a New Jersey limited liability company (the “**Owner**”), pursuant to that certain Ground Lease dated as of December 12, 2014 (the “**Ground Lease**”);

**WHEREAS**, the managing member of the Owner is Willow Pond MM, LLC, a New Jersey limited liability company, which has (i) as its managing member Long Port Ventures, LLC, (ii) as a member The Laurie Ingerman Investment Trust Dated as of November 11, 2004, and (iii) as a member Perth Amboy Willow Pond, 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 January 14, 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 December 12, 2014 and that certain Mixed-Finance ACC Amendment to Annual Contributions Contract, dated as of December 12, 2014 (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 December 1, 2014, (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, (ii) 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 \_\_\_\_\_ Commissioner Reverend Gregory Pabon \_\_\_\_\_

Resolution seconded by \_\_\_ Commissioner John Anagnostis \_\_\_\_\_

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 John C. Anagnostis	X			

On the motion of Commissioner Anagnostis, which motion was seconded by Commissioner Jones, the Board concurred to approve the March 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 Reverend Gregory Pabon	X			
Commissioner Miguel A. Arocho				X
Commissioner Shirley Jones	X			
Commissioner John C. Anagnostis	X			

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

Discussion took place, in reference to updated information on COVID-19 Testing and Vaccine availability and the Food Pantry supported by PARTNER/Bread of Life program.

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 Employee COVID-19 Reconstitute (ECR) Plan for the Housing Authority and PARTNER staff to commence on April 12, 2021.

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

Respectfully submitted by,

*Douglas G. Dzema*

Douglas G. Dzema  
Executive Director/Secretary