

ITEM D

**HOUSING AUTHORITY OF THE CITY OF PASSAIC
BOARD OF COMMISSIONERS' MEETING
October 20, 2021**

PLACE: Via Zoom Virtual Conference Call (Due to Covid19 Pandemic)
Passaic, New Jersey 07055

READING OF THE OPEN PUBLIC MEETINGS ACT:

As required by N.J.S.A. 10:4-6 et seq. known as the Open Public Meetings Act, the Housing Authority of Passaic is conducting this meeting via Zoom Meeting due to the Covid19 Pandemic to be held at 6:00 p.m. in accordance with Chapter 11 of the Public Laws of 2020. Adequate notice has been given to the Herald News, placed on the Authority website and distributed to all applicable parties.

COMMISSIONERS - PRESENT: Alan Juszcyk
Delmis Fernandez
Beatrice Johnson
Diane McNair
Henry Navarro
L. Daniel Rodriguez

ABSENT: null

ATTORNEYS PRESENT: Eric M. Bernstein, Esq.

STAFF MEMBERS PRESENT: Joann Arroyo
Glenny Candelaria
Lismarie Guerrero
Joanna Lara
Pamela Mitchell
Natasha Pearson
Daryl Smoot
Vincent Wynter

Meeting opened at 6:13 p.m.

ROLL CALL: Commissioner Juszcyk: Present; Commissioner Johnson: Present; Commissioner Fernandez: Present; Commissioner McNair: Present; Commissioner Navarro: Present; Chairman Rodriguez: Present.

APPROVAL OF MINUTES

APPROVAL OF MINUTES OF THE SEPTEMBER 15, 2021 BOARD OF COMMISSIONERS' MEETING.

A motion was made by Commissioner Fernandez, seconded by Commissioner McNair, to approve the minutes of the September 15, 2021 Board of Commissioners' Meeting.

On roll call vote: Commissioner Jusczyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye.

MOTION: MINUTES OF THE SEPTEMBER 15, 2021 BOARD OF COMMISSIONERS' MEETING APPROVED

REMARKS BY CITIZENS

The following was read: In accordance with the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.) The Housing Authority of the City of Passaic opens every public meeting for comments from the public. Each person choosing to speak at the meetings will be limited to five minutes, to speak on any subject, on or off the agenda. All speakers must state their name and address for the record. However, in accordance with N.J.S.A. 10:4-12 "nothing in this Act shall be construed to limit the discretion of a public body to permit, prohibit or regulate the active participation at any meeting"

Therefore, please be advised that the Housing Authority of the City of Passaic will not entertain any comments from persons who communicate obscene material, make statements which are considered bias intimidation in which a person intends to intimidate any individual or group because of race, color, religion, gender, handicap, sexual orientation or ethnicity or makes comments intending to harass or speak in any offensive language. The person who makes these statements will relinquish their allotted five minutes for public discussion. Any person who persists in speaking out of turn, or interrupts the peace and order of the meeting will be escorted off the premises.

Due to Covid19, members of the public who had questions or comments were asked to submit them in writing to the administrative office located at 52 Aspen Place or send them via email to the Executive Director at boardmeeting@passaichousing.org before the close of business day at 4:00 pm Tuesday, October 19, 2021.

Executive Director Mitchell: We have no comments.

A motion was made by Commissioner Navarro, seconded by Commissioner Fernandez, to close the *Remarks by Citizens* portion of the meeting.

On roll call vote: Commissioner Jusczyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye.

RESOLUTIONS

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF PASSAIC AS CONSENT AGENDA ITEMS. ANY MEMBER OF THE BOARD MAY REQUEST THAT ANY ITEM BE REMOVED FROM THE CONSENT AGENDA AND BE CONSIDERED SEPARATELY. ALL REMAINING ITEMS WILL BE CONSIDERED TOGETHER.

CHAIRMAN RODRIGUEZ ASKS IF THERE ARE ANY RESOLUTIONS ANY COMMISSIONER WOULD LIKE TO CONSIDER SEPARATELY.

Commissioner Juszcyk asked that Resolution 2021-63, 2021-64, 2021-65 and 2021-75 be considered separately.

Mr. Bernstein asked that Resolution 2021-69 be considered separately.

CONSENT AGENDA:

- 2021-66 RESOLUTION AUTHORIZING APPROVAL OF THE RESIDENT SERVICES ACTIVITIES BUDGET OF THE CHESTNUT GARDENS RESIDENT COUNCIL, INC. FOR THE FISCAL YEAR OF 2022 IN AN AMOUNT NOT TO EXCEED ONE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$1,750.00)
- 2021-67 RESOLUTION AUTHORIZING APPROVAL OF THE RESIDENT SERVICES ACTIVITIES BUDGET OF THE VREELAND VILLAGE COMMUNITY ASSOCIATION, INC. FOR THE FISCAL YEAR OF 2022 IN AN AMOUNT NOT TO EXCEED TWO THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$2,875.00)
- 2021-68 RESOLUTION AUTHORIZING EMERGENCY DECLARATION AND NEGOTIATIONS FOR FEMA CONSULTANT FIRM AND SERVICE CONTRACT
- 2021-70 RESOLUTION CONFIRMING ATTENDANCE FOR A SIXTY MINUTE VIRTUAL TRAINING MODULE BY NATALY HERNANDEZ SPONSORED BY COMPLIANCE PRIME ON OCTOBER 14, 2021 ENTITLED "THERE IS MORE TO MAINTENANCE TRAINING THAN NUTS AND BOLTS"
- 2021-71 RESOLUTION AUTHORIZING APPROVAL FOR ATTENDANCE AT THE 2021 FALL THREE-DAY VIRTUAL TAX CREDIT COMPLIANCE TRAINING OFFERED BY NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY (NJHMFA) ON OCTOBER 26-28, 2021
- 2021-72 RESOLUTION AUTHORIZING ATTENDANCE FOR A NINETY MINUTE VIRTUAL TRAINING MODULE BY LISMARIE GUERRERO SPONSORED

BY COMPLIANCE PRIME ON OCTOBER 28, 2021 ENTITLED “WORKING WITH ASSETS”

- 2021-73 RESOLUTION AUTHORIZING THE UPDATE OF FLAT RENTS FOR FINANCIAL YEAR 2021 EFFECTIVE JANUARY 1, 2022
- 2021-74 RESOLUTION AUTHORIZING CHANGE IN THE HOUSING CHOICE VOUCHER PAYMENT STANDARDS EFFECTIVE JANUARY 1, 2022
- 2021-76 RESOLUTION INTRODUCING PROPOSED UPDATES TO THE HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN FOR A 30-DAY RESIDENT COMMENT PERIOD
- 2021-77 RESOLUTION INTRODUCING PROPOSED REVISIONS TO THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP) FOR A 30-DAY RESIDENT COMMENT PERIOD

A motion was made by Commissioner Fernandez, seconded by Commissioner Navarro, to approve all Resolutions on the Consent Agenda.

On roll call vote: Commissioner Juszcyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye.

MOTION: RESOLUTIONS 2021-66, 2021-67, 2021-68, 2021-70, 2021-71, 2021-72, 2021-73, 2021-74, 2021-76 AND 2021-77 APPROVED.

- 2021-63 RESOLUTION APPROVING ACCOUNTS PAYABLE FOR THE PERIOD OF SEPTEMBER 16, 2021 THROUGH OCTOBER 15, 2021.

A motion was made by Commissioner Navarro, seconded by Chairman Rodriguez, to approve Resolution 2021-63.

- Commissioner Juszcyk: *I separated this resolution for a question and also a comment. I would like any commissioners with a relationship with any vendor to be able to abstain on voting for that vendor. The second point I'd like to make is, we're finally rid of the boil water advisory. I'd like to know if the Passaic Valley Water Commission has granted any rate relief to customers for the inconvenience because of the seven weeks of boiling water?*

- Chairman Rodriguez: *Yes, they are giving a \$25 rebate to customers affected by the boil water advisory.*

On roll call vote: Commissioner Juszcyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye (Abstain PVWC)

MOTION: RESOLUTION 2021-63 APPROVED.

2021-64 RESOLUTION APPROVING THE HACP ANNUAL BUDGET FOR THE
YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022

A motion was made by Commissioner McNair, seconded by Commissioner Navarro, to approve Resolution 2021-64.

- *Commissioner Juszcyk: I'd like to congratulate Vincent Wynter and his staff for preparation of the resolution and the budget including the pie charts in the resolution. I thought they were very helpful.*
- *Commissioner Navarro: Are we getting a presentation about the budget?*

2022 Budget Presentation by Vincent Wynter, Director of Finance and Operations

- *Commissioner Navarro: Relative to last year, how did we do in 2020 and 2021?*
- *Mr. Wynter: We did pretty well last year in light of additional expenses, which were covered by money from the Cares Act. So far to date, we are running with a surplus. Thought not huge, we are still in surplus position.*
- *Commissioner Navarro: For expectations for 2022, is there a huge difference to pre-pandemic?*
- *Mr. Wynter: On the HUD website it states we should expect a 3% increase on expenses. Talking to my peers in the industry, we felt that we should use a factor of about 5% in our expenses. Unless something like Covid comes around in 2022 or any natural disasters, we should be in good standing.*

On roll call vote: Commissioner Juszcyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye

MOTION: RESOLUTION 2021-64 APPROVED.

2021-65 RESOLUTION ADOPTING REVISIONS TO THE PERSONNEL POLICIES
AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK

A motion was made by Commissioner Navarro, seconded by Commissioner McNair, to approve Resolution 2021-65.

- *Commissioner Juszcyk: I reviewed the documents for the resolution. On page 10, I suggest changing the word 'elected' to 'appointed' under the paragraph 'who do we test' and any other place where 'elected' appears it should be 'appointed'. The second thing is on page 5 on the Covid19 Policy I have three questions: 1) Since the HACP receives federal funds, will federal policies regarding vaccines for employees be applicable? 2) How can the vaccination status of employees be determined without violating HIPAA? 3) If federal guidelines mandate vaccination or termination, will any of our employees be terminated?*
- *Executive Director Mitchell: All of those questions will have to be revisited because we're currently not in a status of all of them.*
- *Mr. Bernstein: I would agree with the Executive Director that ultimately, we would have to get back. We have not yet seen the federal mandate so we don't know who's applicable and not*

applicable. As for the issue of vaccination knowledge, a designated individual would be required to receive the records in question and only they will be aware of those records. The answer to number 3 goes back to question 1. It depends on who the mandate applies to. Otherwise, the Authority will have to have its own vaccine mandate.

On roll call vote: Commissioner Juszcyk: Abstain; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye

MOTION: RESOLUTION 2021-65 APPROVED.

2021-75 RESOLUTION REQUESTING APPROVAL FOR OFFICIAL TRAVEL TO AND FROM ATLANTIC CITY, NJ BY TWO (2) COMMISSIONERS FOR THE PURPOSE OF ATTENDING THE NJNAHRO FALL CONFERENCE ON NOVEMBER 16-18, 2021

A motion was made by Commissioner Fernandez, seconded by Commissioner McNair, to approve Resolution 2021-75.

- Commissioner Juszcyk: On page 7 of the manual we just referred to, it says all discretionary work trips and events, both domestic and international, are discouraged and should be seriously considered very closely. Two commissioners are included in this resolution. Did they seriously consider very closely attending this event in person? If the resolution is passed, will the commissioners who vote 'yes' will the two commissioners agree not to hold the commissioners personally liable for any health-related complications by attending this event and passing the resolution?

- Chairman Rodriguez: As far as myself, I always take any conference that I go to I consider seriously.

- Mr. Bernstein: The page Commissioner Juszcyk is referring to is part of our Covid19 Policy. Domestic travel within the State of New Jersey is considered to be safe by the Governor's office. Also, the League of Municipalities is mandating showing proof of vaccination or a negative Covid test taken within the last 72 hours before being able to enter. They are also mandating that masks be worn at all times while on the floor.

On roll call vote: Commissioner Juszcyk: Abstain; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye

MOTION: RESOLUTION 2021-75 APPROVED.

CORRESPONDENCE

Submitted.

COMMITTEE REPORTS

Submitted.

RESIDENT COUNCIL REPORTS

Submitted.

EXECUTIVE DIRECTOR'S REPORT

Submitted.

TREASURER'S REPORT

Submitted.

DIRECTOR OF FINANCE REPORT

Submitted.

DIRECTOR OF HOUSING ADMINISTRATION REPORT

Submitted.

DIRECTOR OF RESIDENT SERVICES REPORT

Submitted.

PROPERTY MANAGEMENT REPORT – PAHC

Submitted.

PROPERTY MANAGEMENT REPORT – AMP1

Submitted.

PROPERTY MANAGEMENT REPORT – PSH LLC

Submitted.

PUBLIC SAFETY LIAISON REPORT

Submitted.

EXECUTIVE SESSION

- Mr. Bernstein: We will be going into Executive Session for attorney/client privilege and potential pending or anticipated litigation regarding EPA.

A motion was made by Commissioner McNair, seconded by Commissioner Navarro, to go into Executive Session.

On roll call vote: Commissioner Juszcyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye

A motion was made by Commissioner McNair, seconded by Commissioner Fernandez, to come out of Executive Session.

On roll call vote: Commissioner Juszcyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye

All members of the Board of Commissioners present before the commence of executive session are present to recommence with the open session, as well as the Executive Director, the Board general counsel, the Director of Finance and other members of the administrative staff. The individuals in the executive session were the Commissioners, the general counsel, the Executive Director, Robert Sobol and Laura Brinkerhoff. The latter two representatives of EAP, to discuss items the EPA is looking for compliance. Part of that requires the adoption of resolution 2021-69.

2021-69 RESOLUTION AUTHORIZING SERVICE CONTRACT AWARD FOR
CONSULTANT PROPOSAL RELATING TO ENVIRONMENTAL
PROTECTION COMPLIANCE

A motion was made by Commissioner Fernandez, seconded by Commissioner McNair, to approve Resolution 2021-69.

On roll call vote: Commissioner Juszcyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye

MOTION: RESOLUTION 2021-69 APPROVED.

OLD BUSINESS

None

NEW BUSINESS:

- *Commissioner Juszcyk: Since we're not having a public meeting in November, I'd like to wish everyone a happy Thanksgiving – Commissioners, their families, staff and residents.*

- *Commissioner Johnson: I see we have a new Property Manager. I had the pleasure of meeting her last week. I feel she should have been introduced to the president of both sites and the commissioners. I feel it's a lack of respect know one knew we had a new manager. A notice went out today about the heat. This should have been worked on after Hurricane Ida. Preventative maintenance wasn't followed through. There was a Building and Grounds Committee meeting and still no one has followed back up. It's to the point where residents are threatening to withhold their rent and take it to Paterson and sign a petition to get rid of the Coalition. When the Coalition came on they said it was going to be better or equal. It's been worse and getting worse. Before it was the hot water, now it's the heat.*

- *Chairman Rodriguez: Is Executive Director Cirilo on for the Coalition or Ms. Camburn, the new manager?*

- *Commissioner Navarro: Mr. Cirilo sent me a text that said if we needed him to just reach out to him.*

- *Chairman Rodriguez: And the new property manager is not on either, correct?*

- *Executive Director Mitchell: I do not know if there is a property manager anymore.*
- *Chairman Rodriguez: Circle around with Mr. Cirilo and Ms. Camburn. Have them send an email introducing to our residents. I would like to see how the issues are going to be addressed.*

A motion was made by Commissioner Juszcyk, seconded by Commissioner McNair, to adjourn the meeting.

On roll call vote: Commissioner Juszcyk: Aye; Commissioner Johnson: Aye; Commissioner Fernandez: Aye; Commissioner McNair: Aye; Commissioner Navarro: Aye; Chairman Rodriguez: Aye

ADJOURNMENT

7:22 p.m.

Respectfully submitted,

Pamela Mitchell

Executive Director