

**HOUSING AUTHORITY OF BERGEN COUNTY  
25 ROCKWOOD PLACE, SUITE 205  
ENGLEWOOD, NEW JERSEY**

**MINUTES OF THE MEETING OF June 7, 2010**

*THESE MINUTES ARE NOT VERBATIM BUT ARE INSTEAD A CONDENSED VERSION OF WHAT TRANSPIRED AT THE REGULAR MEETING OF June 7, 2010.*

PRESENT: Commissioner Joseph Rutch, Chairman  
Commissioner Kay Nest, Vice Chairman  
Commissioner Junior Hernandez, Treasurer  
Commissioner Daniel Ortega (Via Speakerphone)  
Commissioner Rotundo  
E. Carter Corriston, Sr., Esq., Counsel  
Domingo Senande Deputy Director  
Stephanie Sutera, Director of Transition  
Lynn Bartlett, Director of Housing & Development  
James Giel, Field Supervisor (South Zone)  
Joyce Kashwick, Comptroller  
Esther Gatria, Executive Assistant  
Carmen Medina, Receptionist

ABSENT: Commissioner Shirley Finn  
Commissioner Rudman  
David F. Sivella, Executive Director

**NOTICE OF MEETING**

Mr. Senande read the following statement:

Consistent with the Byron M. Baer "Open Public Meetings Act: P.L.1975c231, all meetings of public bodies shall be open to the public at all times". Notice of the regular meeting was provided to The Record and the Jersey Journal on January 8, 2010, and was provided to the County Clerk for posting at the County Administration Building, at which time the date, time and place were set forth. The minutes of the regular meeting will be available following the next regularly scheduled meeting.

Chairman Rutch called the meeting to order at 5:17p.m. Chairman Rutch noted that Commissioner Ortega was participating via speakerphone, clearly audible to the public.

## APPROVAL OF MINUTES

On motion by Commissioner Nest, seconded by Commissioner Rotundo, the minutes of the meeting of April 20, 2010, were approved.

VOTE:           AYES:           All Present Commissioners (5)  
                  ABSENT:       Commissioners Finn and Rudman (2)

## EXECUTIVE DIRECTOR'S REPORT

Mr. Senande informed the Board he was sitting-in for David Sivella, due to his accident and will keep them up to date on any further developments.

Mr. Senande reported on the following subjects:

**ACI Electrical Contract:** Mr. Senande read the following memo from the Housing Authority's General Council:

On or about February, 2010 the HABC entered into a contract with ACI Electrical Contractor, for various electrical upgrades at numerous sites. The work included changing lighting fixtures, exit signs and smoke detectors in apartments at many different sites. The specifications were prepared in-house, by HABC staff.

The contract was for the total sum of \$214,149.22

A notice to proceed was issued and the contractor commenced mobilization. The contractor subsequently raised some issues concerning the specifications which led the HABC to have the specs. reviewed by it's A/E Arcari & Iovino. After reviewing the matter, the A/E has suggested some significant revisions to the specifications. We anticipate that the revisions will save the HABC money and minimize the inconvenience to the tenants who occupy the apartments where the work is to be done.

The HABC has determined that it is in its best interest to terminate the contract at this time to significantly revise the specifications.

General Counsel Terrence Corriston engaged in discussions with Counsel for ACI with regard to the termination of the contract. After much negotiation, Mr. Corriston recommends the following:

1. The HABC terminates the contract for Minor Electrical Upgrades with ACI and revises the specifications and re-bids the work.

2. ACI will seek a refund for the bldg. permit it obtained from Mahwah for \$565.00 and if same is not granted, it will assign the permit to the HABC for \$565.00 to be utilized by a subsequent contractor (unless ACI is the awarded the subsequent contract).
3. The HABC shall reimburse ACI up to \$1500.00 in restocking fees, for light fixtures and exit signs, provided that evidence that such costs were incurred by ACI is first presented to the Housing Authority (invoices/cancelled checks or account adjustment memos are acceptable, ACI will sign a voucher as well if required). *Note: the contractor was looking for a minimum of \$2500.00 rather than the \$1500.00 agreed upon.*
4. In exchange, ACI has agreed to withdraw from the contract and will be permitted to continue to bid on projects with the Housing Authority, and the Housing Authority will not seek damages from ACI.

Mr. Senande requested a motion to authorize the cancellation of the contract on the foregoing terms, as per Mr. Corrison's recommendations.

A motion to authorize the cancellation of the ACI contract was made by Commissioner Nest. Commissioner Rotundo seconded the motion.

VOTE:           AYES:           All Present Commissioners (5)  
                   ABSENT:       Commissioners Finn and Rudman (2)

Mr. Senande asked the Board to consider a motion to pre-approve the accounts payable for routine expenditures incurred by the HABC and HDC, since the Board would not reconvene until July 20, 2010. The list of bills would be presented at the July meeting.

A motion to pre-approve the accounts payable for routine expenditures incurred by the HABC and HDC was made by Commissioner Rotundo. Commissioner Nest seconded the motion.

VOTE:           AYES:           All Present Commissioners (5)  
                   ABSENT:       Commissioners Finn and Rudman (2)

Mr. Senande also asked the Board to authorize him to sign the Resolutions and contracts approved on the consent agenda due to Mr. Sivella's absence. In addition to Mr. Senande's request, Mr. Rutch asked the Board to entertain a motion to allow Mr. Sivella to work from home, through Mr. Senande and Ms. Gatria, while he is recovering.

A motion to authorize Mr. Senande to sign and execute the Resolutions approved on the consent agenda and for Mr. Sivella to work from home with Mr. Senande and Ms. Gatria's assistance was made by Commissioner Rotundo. Commissioner Nest seconded the motion.

VOTE:           AYES:           All Present Commissioners (5)  
                  ABSENT:       Commissioners Finn and Rudman (2)

Mr. Senande requested Ms. Bartlett update the Board on development issues.

**River Vale:** Ms. Bartlett reported that the River Vale Developer's Agreement was executed with the HDC, for one of two properties to be developed for COAH compliance. An amendment to the agreement was also made, since the Borough petitioned COAH for an extension, which was granted. The Borough used their Trust Fund to purchase three contiguous properties for the development.

**Vantage Health Systems and CarePlus NJ:** Ms. Bartlett noted that there were two Resolutions on the consent agenda for MOU's with Vantage Health Systems and CarePlus NJ. The State, through the Division of Mental Health Services, issued an RFP for Supportive Service Dollars to create housing for special needs populations that are chronically homeless, mentally ill and individuals moving from institutions into the community. The RFP requires that the agencies applying for the Service Dollars partner with an entity able to undertake housing development and rental assistance. The Housing Authority can support vouchers for both projects through the HUD Notice of Funding Availability (NOFA) and meet the population requirements through the general Section 8 wait list.

#### **ATTORNEY'S REPORT**

There was no report at this time.

#### **PUBLIC COMMENTS**

A motion to open the meeting to the public was made by Commissioner Rotundo and seconded by Commissioner Ortega.

VOTE:           AYES:           All Present Commissioners (5)  
                  ABSENT:       Commissioners Finn and Rudman (2)

There were no public comments.

## CONSENT AGENDA

A motion to approve the consent agenda as amended was made by Commissioner Rotundo and seconded by Commissioner Ortega.

VOTE:           AYES:           All Present Commissioners (5)  
                  ABSENT:       Commissioners Finn and Rudman (2)

**A. Resolution 2010-56**

Resolution ratifying the list of bills for the HABC for the period of 04/14/10 – 05/11/10.

**B. Resolution 2010-57**

Resolution ratifying the list of bills for the HDC for the period of 04/14/10 – 05/11/10.

**C. Resolution 2010-58**

Resolution revising Resolution 2010-19 to reflect a change order and new contract amount with Raymond Brothers Landscaping for the Community Garden Upgrades at David F. Roche Apts. (ARRA Project) due to unforeseen problems related to the March 2010 storm.

**D. Resolution 2010-59**

Resolution executing an agreement with LaMendola Associates, Inc., to develop a program for Aging Out Youth.

**E. Resolution 2010-60**

Resolution authorizing an agreement for industrial and commercial equipment and supplies catalogue sales contract with HD Supply and W.B. Mason, authorizing the Purchasing Agent to purchase material equipment and other supplies on an "as needed basis" subject to fund availability.

**F. Resolution 2010-61**

Resolution authorizing the Executive Director to execute a Memorandum of Understanding with Vantage Health Systems and to apply for ten (10) Non-Elderly or Disabled Housing Choice Vouchers pursuant to the pending HUD Notice of Funding Availability (NOFA).

**G. Resolution 2010-62**

Resolution authorizing the Executive Director to execute a Memorandum of Understanding with CarePlus NJ Inc., and to apply for five (5) Non-Elderly or Disabled Housing Choice Vouchers pursuant to the pending HUD Notice of Funding Availability (NOFA).

**H. Resolution 2010-63**

Resolution authorizing the Chairman and/or Executive Director to certify the Section 8 Management Assessment Program (SEMAP) certification for the period of April 1, 2009 through March 31, 2010.

**I. Resolution 2010-64**

Resolution authorizing the Chairman and/or Executive Director to

execute a contract with E.R. Barrett for the Roof Replacement at Boiling Springs.

**J. Resolution 2010-65**

Resolution authorizing the Chairman and/or Executive Director to execute a contract with ACI Electric for the electrical panel replacement at Woodland Gardens.

**K. Resolution 2010-66**

Resolution authorizing the Chairman and/or Executive Director to execute a contract with TSUJ Corp. for the electrical panel replacement at Highland View Apts.

**L. Resolution 2010-67**

Resolution authorizing the Chairman and/or Executive Director to execute a contract with Hartz Electric for the electrical panel replacement at Boiling Springs Gardens.

**M. Resolution 2010-68**

Resolution authorizing the Chairman and/or Executive Director to execute a contract with GMT Corp., for the HVAC replacement at Highland View.

**N. Resolution 2010-69**

Resolution executing A/E for the Replacement of Sewage Ejector Pump & Holding Tank for Ridgecrest Apartments with LAN Associates.

Commissioner Rotundo moved that the meeting be adjourned. Commissioner Nest seconded the motion.

VOTE:           AYES:           All Present Commissioners (6)  
                  ABSENT:       Commissioners Finn and Rudman (2)

Meeting adjourned at 5:51p.m.

Minutes prepared by Esther Gatria