

HOUSING AUTHORITY OF THE BOROUGH OF CLEMENTON
REGULAR MONTHLY BOARD MEETING
AUGUST 3, 2016

Chairman Schmidt called the August 3, 2016 Regular Monthly Meeting of the Clementon Housing Authority to order at 6:00PM and announced that the meeting has been properly advertised and posted pursuant to N.J.S.A. 10:4-6, the Open Public Meetings Act. The meeting was held at the John Leshner Senior Center located at 49 Berlin Road, Clementon, New Jersey.

Salute to flag.

Upon roll call the following were present: Commissioner Armbruster (arrived at 6:04PM and was sworn in by Chairman Schmidt for another term as Commissioner as he was reappointed by Borough Council last month), Commissioner Casella, Commissioner Closs, Vice-Chairman Cater, and Chairman Schmidt. Also present at this meeting were William J. Harris, Executive Director, Anthony H. Ogozalek, Jr., Solicitor (arrived at 6:13PM) and Barbara J. Murray, Secretary. Absent: Commissioner Watson.

MINUTES

Chairman Schmidt advised that he had one change on the Reorganization Meeting Minutes, page 2, Sub-Committees #2 Planning and Development should read Vice-Chairman Cater (Chairman), Chairman Schmidt, Commissioner Armbruster, and Commissioner Closs (alternate).

Chairman Schmidt asked for a motion to approve the minutes of the July 6, 2016 Regular Board Meeting, Executive Session Meeting of July 6, 2016, and the Reorganization Meeting of July 6, 2016 (with the aforesaid change) in block. Commissioner Casella, seconded by Vice-Chairman Cater, made a motion to approve the minutes of the July 6, 2016 Regular Board Meeting, Executive Session Meeting of July 6, 2016, and the Reorganization Meeting of July 6, 2016 (with the aforesaid change) in block. Voice vote: All ayes, with Commissioner Armbruster abstaining. The motion carried.

BILLS

Chairman Schmidt asked for a motion to approve the payment of bills dated July 7, 2016 thru August 3, 2016. Commissioner Casella asked if the check for legal services should be changed because our Solicitor, Anthony H. Ogozalek, Jr., is now a sole proprietor and the check is made out to Beckman Law Offices. Solicitor Ogozalek asked if we could reissue the check and make it payable to the Law Office of Anthony H. Ogozalek, Jr. as he officially separated from the Beckman Law Office effective August 1, 2016; Mr. Harris advised that we would void the check made payable to the Beckman Law Office and reissue a check to the Law Firm of Anthony H. Ogozalek, Jr.

Commissioner Armbruster, seconded by Vice-Chairman Cater, made a motion to approve the payment of bills with proper certification dated July 7, 2016 thru August 3, 2016. Roll call vote: Ayes: Commissioner Armbruster, Commissioner Casella, Commissioner Closs, Vice-Chairman Cater, and Chairman Schmidt. The motion carried.

MANAGEMENT REPORT

Chairman Schmidt asked if anyone had any questions or comments on the Management Report. Mr. Harris advised that since the report was sent out one of our tenants passed away suddenly which brings our vacancy count to three units as of July 31, 2016; one of the units is scheduled to be leased up on September 1, 2016 and we are working on filling the other two units.

NEW BUSINESS

Resolution HA16-27

Chairman Schmidt asked for a motion to approve Resolution HA16-27 to amend Resolution HA16-06 (appointing Anthony H. Ogozalek, Jr. of Beckman, Ogozalek, and Londar as our Solicitor). Commissioner Casella, seconded by Commissioner Armbruster, made a motion to approve Resolution HA16-27 (appointing Anthony H. Ogozalek, Jr. of the Law Office of Anthony H. Ogozalek, Jr. as our Solicitor). Roll call vote: Ayes: Commissioner Armbruster, Commissioner Casella, Commissioner Closs, Vice-Chairman Cater, and Chairman Schmidt. The motion carried.

Resolution HA16-25

Chairman Schmidt asked for a motion to approve Resolution HA16-25 authorizing a contract with PMH Associates to prepare bid specifications for the hallway damper replacement project.

Mr. Harris advised that there are dampers on floors two thru eight of which two are not functioning properly. Walt Keebler attempted to repair one of the two non-functioning dampers that provide ventilation and also are activated in the event of a fire or smoke in a hallway; the repair job did not last. The original manufacturer is no longer in business so we had the same Engineer that did the specifications for the roof-top heater look at it and give us a proposal for bidding out the work to heating and mechanical firms to find a replacement motor and fan system that will work; this is both a safety and fire code issue that needs to be a priority. Mr. Harris also said that because of the preliminary cost that is involved and because it involves HUD funds it is a requirement that a licensed engineer do the specifications.

Commissioner Casella, seconded by Commissioner Closs, made a motion to approve Resolution HA16-25 authorizing a contract with PMH Associates to prepare bid specifications for the hallway damper replacement project. Roll call vote: Ayes: Commissioner Armbruster, Commissioner Casella, Commissioner Closs, Vice-Chairman Cater, and Chairman Schmidt. The motion carried.

Occupancy Policy

Chairman Schmidt advised that there was a meeting last week between himself, Mr. Harris, Solicitor Ogozalek, and Vice-Chairman Cater to discuss amending our Admissions Policy, which requires 30 days' notice, so that will be on the agenda for September. Chairman Schmidt said that he and Vice-Chairman Cater are going to recommend that prior to any eviction notice that the Executive Director get a legal opinion on the matter and if there is a disagreement between the Executive Director and the Solicitor that a Board member or sub-committee member be notified.

There is also a question of whether this issue should be in the Admissions Policy or the Personnel Policy. Mr. Harris used the analogy that eviction is to admission as divorce is to marriage; eviction has to do with occupancy in the building, it is not a personnel issue in his mind even though it puts some controls over his ability to oversee the operation of the building.

Mr. Harris did ask the Board to keep in mind that he cannot go into court and file an action against anyone; that can only be done by our Solicitor because we are a municipal cooperation and anything that rises to the level of the seriousness of eviction especially for issues other than non-payment of rent he will continue, as he has done in the past, to consult with our Solicitor on the appropriate action to take. Mr. Harris said that if the Board wants to change the policy on how we evict people, in his view it should be in the Admissions Policy, not the Personnel Policy.

Solicitor Ogozalek advised that he does not have strong feelings either way about it but when he drafted the Policy in his view he thought it should be in the Personnel Policy, although he does see Mr. Harris' view also because it is part of the eviction process; but the other side of it is we are limiting or changing the Executive Director's procedure on doing something. As an example of this if we have a plumbing job that costs over \$1000, the Executive Director has to come to the Board for approval; Mr. Harris said that is in the Procurement Policy. Chairman Schmidt questioned if it should be in both Admissions and Personnel policies and if we put it in the Admissions Policy could HUD overrule it. Mr. Harris said that in his view HUD would not require that the Housing Authority revise or delete that because it doesn't have anything to do with issues involving fair housing; it has to do with internal procedures and how to proceed in a State Superior Court and particularly landlord tenant law. Commissioner Armbruster said that he agrees with Mr. Harris because it is a procedure that must be followed; he does not feel that HUD would object to such a policy and to have a legal opinion on the issue is a way of protecting ourselves.

Solicitor Ogozalek advised that we would only have to go to landlord tenant court if the person refuses to vacate the unit, if they leave voluntarily after receiving the Notice to Cease or Eviction Notice, they are theoretically evicted. A discussion followed.

Mr. Harris advised that he will have all the amendments to the Admission Policy and Section 8 Administrative Plan as it pertains to procedures for eviction or subsidy termination in Section 8 as well as the admission preference for Section 8 that were discussed preliminarily ready for the Board to vote on at the September meeting; and whatever amendments are approved will be posted for 30 days for review and comment and then at a subsequent time the Board will ratify them. Chairman Schmidt created a sub-committee to oversee and review the amendments; the committee being Commissioner Watson, Chairman, Vice-Chairman Cater and Chairman Schmidt.

State Health Insurance Plan

Chairman Schmidt advised that the Administration sub-committee met in July regarding the healthcare buyback and though the policy was amended the recommendation was unanimous not to reimburse someone for not taking health benefits at this time. Chairman Schmidt said that if the Board wanted them to review this issue again, they are willing to do that.

PUBLIC

Chairman Schmidt asked if there were any questions or comments from the public and if so for them to state their name and address and they would have three minutes floor time.

Lorraine Rossiter, Wooster Towers apartment 606, advised that she had asked Mr. Harris about the specifics of becoming a Board member and he told her that it would be brought up at the Board meeting. Chairman Schmidt advised that we are not the appointing Authority; five Commissioners are appointed by the Borough Council, one is appointed by the Mayor, and one is appointed by the Governor. Chairman Schmidt said that she could contact Ms. Janai Johnson, the Clerk Administrator at the Borough Hall, for the process. Commissioner Armbruster stated that she could go to a Council Meeting or send a letter to Borough Council advising them of her interest to be on the Housing Authority Board.

Mr. Harris advised Ms. Rossiter that her request was summarized and put in his management report; Chairman Schmidt reminded Ms. Rossiter of the class requirements for being a Commissioner.

Chairman Schmidt closed the meeting to the public.

Chairman Schmidt asked for a motion to adjourn. Commissioner Casella, seconded by Vice-Chairman Cater made a motion to adjourn at 6:33PM. Voice vote: All ayes. The motion carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "William Harris". The signature is written in black ink and is positioned above the printed name and title.

William J. Harris
Secretary