

**HOUSING AUTHORITY OF THE BOROUGH OF CLEMENTON
BOARD OF COMMISSIONERS MEETING
MARCH 11, 2015**

Chairperson Nicholson called the Housing Authority of the Borough of Clementon Regular Board of Commissioners Meeting to order at 6:15PM and announced that the meeting has been properly advertised and posted pursuant to N.J.S.A., 10:4-6, the Open Public Meeting Act. The meeting was held in the Community Room of Wooster Towers located at 22 Gibbsboro Road, Clementon, New Jersey.

Salute to flag.

Upon roll call the following were present: Commissioners Casella, Closs, Nicholson, Schmidt, and Watson. Also present at this meeting were William J. Harris, Executive Director, Anthony Ogozalek, Jr., Solicitor, Barbara J. Murray, Secretary. Absent: Commissioner Dougherty.

MINUTES

Chairman Nicholson asked for a motion to approve the minutes of the January 7, 2015 Board of Commissioners Meeting as submitted.

Commissioner Schmidt made a motion to table the approval of the minutes from the January 7, 2015 meeting based on a statement that was received after the meeting in an e-mail and the statement was read into record; there was no mention of said statement in the minutes of the succeeding conversation and discussion in terms of that. Commissioner Schmidt believes that was part of the minutes and in part was one reason that Mr. Harris came to the Board to revise his contract. Commissioner Schmidt stated that it has been two months and he would like to go back and listen to the tape again and add the relevant portion of the meeting which was inadvertently missed into the record.

Chairman Nicholson asked if we needed to table the minutes or can they be approved with the condition of including the additional conversation. Solicitor Ogozalek advised that we table the minutes from the January 7, 2015 meeting because in speaking with Commissioner Schmidt prior to the meeting, it is his feeling that Commissioner Schmidt wants more than just a few notes added.

Mr. Harris asked if the Board was asking for a verbatim account of all meetings including the January 7, 2015 meeting. Commissioner Schmidt stated that it did not have to be word for word but a reasonable and comprehensible summary.

Solicitor Ogozalek asked Commissioner Schmidt if he was talking about Chairman Nicholson's statement regarding the e-mail that included an attachment that was dated the eve of our January 7, 2015 meeting and asked if everyone received the e-mail; no one had. Chairman Nicholson verbally summarized the e-mail and Mr. Harris did not willingly or for any other reason not include those comments in the minutes because Chairman Nicholson said that no response was necessary and he (Mr. Harris) took that to mean that Chairman Nicholson was rendering an opinion and it did not require any official action by the Board. Commissioner Schmidt stated that the contents of the attachment were brought up in the comment period.

Solicitor Ogozalek advised that we should go back and paraphrase the conversation; it does not have to be word for word, unless ordered to do so by the governing body.

Mr. Harris asked if the minutes of the February 4, 2015 Regular Meeting and Executive Session as well as the Special Meeting of February 13, 2015 were legal. Solicitor Ogozalek advised that they are null and void because in actuality the meetings were not properly advertised. Mr. Harris asked if it were statutory that we notify two newspapers; Solicitor Ogozalek advised that as of now we must advertise in two newspapers and use our website and for further clarification stated that for Special Meetings we only needed to notify the newspapers, it does not have to be published, but for Regular Meetings it must be legally advertised and two newspapers within ten days of the Annual Reorganization Meeting. Mr. Harris advised that he did legally advertise in the South Jersey Times and the Courier Post for March thru the remaining calendar year.

Commissioner Schmidt, seconded by Commissioner Casella, made a motion to table the minutes of the January 7, 2015 Regular Meeting. Roll call vote: Ayes: Commissioners Casella, Closs, Nicholson, Schmidt, and Watson. The motion carried.

NEW COMMISSIONER

Chairman Nicholson advised that Doreen Closs was sworn in as Commissioner of the Housing Authority in February.

BILLS

Commissioner Casella, seconded by Commissioner Watson, made a motion to approve the bills for Public Housing and Section 8 dated February 6th thru March 5th with proper certification. Roll call vote: Ayes: Commissioners Casella, Closs, Nicholson, Schmidt, and Watson. The motion carried.

Commissioner Watson, seconded by Commissioner Casella, made a motion to approve the bills for Public Housing and Section 8 dated January 9th thru February 5th with proper certification. Commissioner Schmidt stated that he previously asked if we could get clarification on the bill from the Borough of Clementon Fire Inspector and to get an extension on paying the bill so that we could see if the fee could be waived. Mr. Harris advised that it is a routine expense that is paid every year. Roll call vote: Ayes: Commissioners Casella, Nicholson, Schmidt, with the understanding that we get clarification on the Fire Inspector's bill for future reference, and Watson. Abstain: Commissioner Closs. The motion carried.

Chairman Nicholson turned the meeting over to William Harris.

MANAGEMENT

Mr. Harris advised that everyone has a copy of the management report and on the advice of our Solicitor he cannot add anything that is not already in the report; if anyone has any questions he will be happy to answer them.

Commissioner Schmidt asked if we could get an update on the hearing panel's decision regarding a Section 8 hearing. Solicitor Ogozalek stated that because it was not announced for a closed session and that he could give the report next month; Solicitor Ogozalek added that in theory he has not made his determination yet and that he will be doing that by the end of the week. Solicitor Ogozalek advised that he will send his report out by the end of the week and that Mr. Harris could forward to the Commissioners.

Mr. Harris reviewed his Management Report that was distributed in February.

- 1) .Welcoming our new Commissioner, Doreen Closs
- 2) Occupancy/Tenant Relations – 68 units occupied at the time of the report and a list of activities that occurred during the month of February
- 3) Section 8/HCV Program
- 4) Update on the bids for the Common Area Roof Mounted-Heater
- 5) Proposed changes to be made to the Personnel Policy and the travel portion of that policy via Resolution
- 6) Capital Fund Budget is due in to HUD by March 16th
- 7) Workshop that Mr. Harris attended at HUD in Newark advising how to get the budget approved by the State
- 8) Update on Walt Keebler’s medical condition

Commissioner Schmidt said that he had a few questions on the last item on the above list and asked if it was appropriate to discuss in open session. Solicitor Ogozalek advised that as long as no names are mentioned and a decision is not needed at this time from the Board, the matter could be discussed; otherwise the person would have to receive a Rice Notice.

Commissioner Schmidt asked how this situation affects the maintenance of the building, can someone work extra hours and if so are we paying them overtime and do we have to give them health benefits, and do we have the option of bringing back the temporary employee that was previously approved.

Mr. Harris advised that currently all work orders have been completed in a timely manner and the trash and recyclables have been taken out in a timely manner, despite the bad weather. Mr. Harris further stated that no one at the Housing Authority has health benefits nor have they applied for them here and that according to Federal law overtime starts after 40 hours, excluding sick, vacation, or personal time; therefore if the remaining employee works over and above his normal work hours, overtime is not paid until the 41st hour worked. Mr. Harris advised that at this time there is no need to hire extra help; we had a boiler problem over the last weekend and the issue was resolved in less than an hour with verbal guidance over the phone from our maintenance supervisor.

Solicitor Ogozalek stated that health benefits do not have to be offered if overtime is on a temporary basis.

OLD BUSINESS

Adopt Resolution HA15-01

Mr. Harris advised that prior to the meeting Commissioner Schmidt pointed out to him that because the February 4th meeting did not legally happen he is presenting a corrected Resolution HA15-01 to be signed by the Chairman if the Resolution passes to enable us to move forward to submit our Capital Fund request to HUD by Monday. Commissioner Watson, seconded by Commissioner Schmidt, made a motion to adopt Resolution HA15-01 for submission of our Capital Fund request to HUD. Roll call vote: Ayes: Commissioners Cassella, Closs, Nicholson, Schmidt, and Watson. The motion carried.

Contract Award for Five-Year Agency Plan

Mr. Harris asked for a motion award the contract to Maria Cimino to prepare our Five-Year Agency Plan. Ms. Cimino was one of two responses; the other firm was from upstate New York and did not respond to the RFP. Mr. Harris stated that Maria has been working with the Authority over the past several years as our Housing Consultant. Commissioner Schmidt asked what Ms. Cimino’s fee was; Mr. Harris replied

\$1,800.00. Commissioner Schmidt, seconded by Commissioner Watson, made a motion to award Maria Cimino the contract to prepare the Five Year Agency Plan for the Housing Authority of the Borough of Clementon for a fee of \$1,800.00. Roll call vote: Ayes: Commissioners Casella, Closs, Nicholson, Schmidt, and Watson. The motion carried.

Adopt Resolution HA15-02

Mr. Harris advised that he needed a motion to adopt Resolution HA15-02 – Amendment to the By-Laws and Personnel Policy that were approved in February. Chairperson Nicholson, seconded by Commissioner Watson, made a motion to adopt Resolution HA15-02 to amend the By-Laws and Personnel Policy that were approved in February. Commissioner Schmidt asked if the amendment included the travel section; Mr. Harris said that travel was not part of the amendment because it needs to be discussed further. Roll call vote: Commissioners Casella, Closs, Nicholson, Schmidt, and Watson. The motion carried.

Adopt Resolution HA15-03

Commissioner Watson, seconded by Commissioner Casella, made a motion to adopt Resolution HA15-03 to authorize the filing of our Capital Fund Application. Roll call vote: Ayes: Commissioners Casella, Closs, Nicholson, Schmidt, and Watson. The motion carried.

Adopt Resolution HA15-04

Commissioner Schmidt made a motion to adopt Resolution HA15-04 naming the South Jersey Times and the Courier Post as our two newspapers of reference. Chairman Nicholson advised that he spoke to the Borough Clerk and said that they list three papers, the Courier Post, the Inquirer, and the Central Record; they use the Central Record primarily because it is less expensive and Chairman Nicholson suggested that as an option we could use the Central Record also. Commissioner Schmidt amended his motion to designate the South Jersey Times, the Courier Post, the Central Record, and the Inquirer as our papers of reference. Commissioner Casella seconded the motion. Roll call vote: Ayes: Commissioners Casella, Closs, Nicholson, Schmidt, and Watson. The motion carried.

Chairman Nicholson advised Mr. Harris that he could give him the contact information for the Central Record.

Travel Policy

Mr. Harris advised that he senses there is a difference of opinion among the Board members on the point of origination for travel reimbursement; and that he only put in the resolution that was just passed (HA15-02) the items that were discussed and agreed upon by the Board.

Commissioner Schmidt advised that he spoke with Mr. Harris after the “non-meeting” in February and in his opinion (Commissioner Schmidt), some members expressed concern for possible future abuse by future members of the Board. Commissioner Schmidt advised that as of now Commissioners are eligible to be reimbursed for travel expenses incurred while on Housing Authority business, although it is very vague. Commissioner Schmidt further stated that the debate seems to be should the policy remain in effect for current Commissioners, they would essentially be grandfathered in under the current rules, which Commissioner Schmidt favors, or should one central point of origination, namely the Housing Authority, be established, which Commissioner Schmidt feels Commissioners Casella and Watson are favoring.

Commissioner Casella stated that he disagrees with Commissioner Schmidt's statement and said that no one said anything about abuse; and that his comment was based on what the Federal Government's ruling is, which he still believes is true, either your home or your place of business, which in this case is the Housing Authority, whichever is closer. Commissioner Casella stated that he feels no one should be grandfathered in.

Commissioner Closs asked if the travel reimbursement was for coming to the meetings or the required classes; Mr. Harris advised that it was for traveling to the classes or any other Housing Authority business.

Commissioner Schmidt stated that in the past Commissioners were paid for their travel expenses from their home and that now some Commissioners on the Board want to change that and have everyone on the Board paid from one point of origination, not where they live. Chairperson Nicholson stated that in the past Commissioners were not reimbursed for their travel expenses and that even now when he is on official business for the Borough he does not receive reimbursement for mileage or parking. Commissioner Casella stated that the dilemma is that in the past all of the Commissioners lived in Clementon and that now that is not the case. Commissioner Schmidt stated that because he does not live in Clementon, he feels that is why certain members want the policy changed and feels that this is discriminatory. Commissioner Casella stated that it is not discriminatory; it is what the Federal government says. Commissioner Schmidt stated that he polled every Housing Authority in the state of New Jersey and looked at ten policies and all Commissioners were reimbursed for their actual expenses, there was no one point of origination. Commissioner Watson stated that we are going from a \$15.00 mileage check to a \$284.00 check; and that Commissioner Schmidt has an issue with paying a \$50.00 fire inspection bill but does not have an issue accepting a \$284.00 mileage check. Commissioner Schmidt stated that those were his actual expenses. Commissioner Watson stated that this is a volunteer position that the Commissioners accept for the good of the people. Commissioner Closs asked if a set amount could be paid for mileage. A discussion followed.

Commissioner Casella, seconded by Commissioner Watson, made a motion to approve the payment of mileage from either a Commissioner's residence or Wooster Towers, whichever is closer. Roll call vote: Ayes: Commissioners Casella, Nicholson, and Watson. Neys: Commissioners Closs and Schmidt. The motion did not carry.

Commissioner Schmidt made a motion to pay mileage from a Commissioner's residence to the destination of the Housing Authority Business. Chairperson Nicholson asked Commissioner Schmidt if he was a permanent resident of Washington, D.C.; Commissioner Schmidt stated that he was not; he lives there during the week. Chairperson Nicholson asked where Commissioner Schmidt's permanent residence is; Commissioner Schmidt stated that it is New Jersey. Commissioner Closs seconded the motion. Roll call vote: Ayes: Commissioners Closs and Schmidt. Neys: Commissioners Casella, Nicholson, and Watson. The motion did not carry.

NEW BUSINESS

Requests From Councilwoman Nucera

Chairperson Nicholson advised that Councilwoman Nucera is involved with the Girl Scouts and that they would like to serve lunch to the seniors to earn their Bronze badge; they are hoping to do this on May 9, 2015. A discussion followed. Chairperson Nicholson stated that he would get all the detailed information on this event and forward it to Mr. Harris.

Chairperson Nicholson asked if there would be any interest in having a hairstylist come to Wooster Towers for the residents. Mr. Harris said that he could not speak for the residents and that he would present this idea to the Tenants' Association for their thoughts.

CDBG Funds (Community Development Block Grant)

Commissioner Schmidt asked Chairperson Nicholson if there was any discussion at the Borough Council meeting about the CDBG funds. Commissioner Schmidt asked Chairperson Nicholson that as Chairperson of the Authority did he think that the money would be well spent if used here. Chairperson Nicholson advised that the Administrator spoke to the person in charge, his name is Anthony, of the CDBG funds for Camden County and that he is of the impression that these funds cannot be used for what is deemed a separate organization.

Mr. Harris stated that he used to be the Director of that program and there is a concept called sub-recipient agreements where if the sub-recipient can prove to the County that it is a senior citizen facility occupied by low income residents or a low income facility and as long as they are eligible, those funds can be used in the form of a contract between Camden County, the Borough of Clementon, and the Housing Authority. Mr. Harris stated that this is done all the time and that whoever was asked about this did not understand the question or that Federal Law has changed; but to Mr. Harris' knowledge Federal Law has not changed.

Chairperson Watson asked what these funds have been used for in the Borough. Chairperson Nicholson stated that they have been used for the last few years on the Ohio Avenue paving project and that this year the Borough has thought about using it for the drainage problem on Trout Avenue. Chairperson Nicholson advised that either he or the Administrator would contact the County again to see if they have a different version on it.

Commissioner Schmidt asked Chairperson Nicholson if he supported spending the money for the Housing Authority; Chairperson Nicholson stated that it would be beneficial but in putting a different hat on as Mayor of the town, he has expressed the fact that there are too many unfinished projects in town and it would be best if the Borough used the funds for some of those projects.

Commissioner Schmidt asked if he could put a motion on the table to adopt Resolution HA15-05 expressing the Housing Authority's support in any of the efforts by the Borough to secure any assistance with CBDG funds. Solicitor Ogozalek advised that he could request that it be put on the agenda for the April meeting.

Mr. Harris also advised that there is a generator program that the State Department of Homeland Security administers; and that he has spoken with the Chief of Police who said that if we can find out if there are still funds available for this cycle that he would work with the Borough officials in endorsing an application.

PUBLIC

Chairperson Nicholson asked if there were any comments from the public.

Reynold Maharaj, who is a new tenant here, stated that he is very happy here and appreciates all that the people who work here do for the residents and that he wanted to attend the meeting to be more informed about things going on here at Wooster Towers. Mr. Maharaj asked if it was the norm to have four or five meetings before issues are addressed. Chairperson Nicholson advised that it is not the

norm; we had some technical errors in publishing the meetings so we had to re-vote on those issues. Mr. Maharaj said that he is trying to do things to bring more life to the residents here and that there is a lot that can be done and he thanked the Board for allowing him to attend the meeting. Chairperson Nicholson said that our meetings are open to the public, with the exception of closed session meetings, and thanked Mr. Maharaj for his interest and kind comments about the people who work here.


Jeff Watson, Norway Avenue, Clementon, asked the Board that with regards to the Resolution concerning the CDBG funds to be used for the replacement of our generator, that they not even consider that and to look for other ways to obtain funding rather than take it from the residents; because as Chairperson Nicholson stated there are a lot of projects in town that have been started and need to be completed.

Commissioner Schmidt stated that this does serve the residents; Commissioner Watson stated that in his opinion it does not serve the greater residents.

Commissioner Schmidt asked if there were any other suggestions on how to obtain funding; Commissioner Watson stated that is something that we will have to look into. Commissioner Watson also stated that he is speaking as a resident of Clementon, not a Commissioner.

Commissioner Schmidt, seconded by Commissioner Watson, made a motion at 7:10PM to adjourn. Voice vote: All ayes.

Respectfully submitted,


William J. Harris
Secretary