

The Regular Meeting of the Housing Authority of the Borough of Clementon will be held on Wednesday, October 19, 2011 at 4:00PM in the Community Room at Wooster Towers.

Sheila K. Wooster
Secretary

PLEASE CALL IF YOU CANNOT ATTEND.

AGENDA

REGULAR MEETING

October 19, 2011

MINUTES

BILLS

MANAGEMENT

Approve OPRA Forms

Review and Act Upon Information Provided by John Schmidt

Review and Accept File Review Proposals

CAPITAL FUND PROGRAM (MODERNIZATION)

SECTION 8

Bills

PUBLIC

**CLEMENTON HOUSING AUTHORITY
BOARD OF COMMISSIONERS MEETING
OCTOBER 19, 2011**

Salute to flag.

Chairperson Nicholson called the Board of Commissioners meeting of the Housing Authority of the Borough of Clementon to order in accordance with the properly posted Sunshine Law. Upon roll call the following were present: Commissioners Casella, Kuns, Nicholson, Porter, and Watson. Also present at this meeting were Thomas J. Shusted, Jr., Solicitor, Sheila K. Wooster, Executive Director, and Barbara J. Murray, Secretary.

MINUTES

Commissioner Porter, seconded by Commissioner Casella, made a motion to approve the minutes of the September 21, 2011 Regular Meeting as submitted. Roll call vote: All ayes.

BILLS

Bills were presented for approval in the amount of \$23,768.18 for checks dated October 1, 2011 through October 22, 2011. Commissioner Casella, seconded by Commissioner Kuns, made a motion to approve the payment of bills with proper certification in the amount of \$23,768.18 for checks dated October 1, 2011 through October 22, 2011. Roll call vote: All ayes.

Chairperson Nicholson then turned the meeting over to Mrs. Wooster.

MANAGEMENT

OPRA/OPMA Requests & Forms

Mrs. Wooster advised the Board that she has been corresponding regularly with John Schmidt regarding our compliance with the OPRA/OPMA laws. Mrs. Wooster advised that the HA was required to have specific forms approved by the board and made available to the public. Mrs. Wooster advised the Board that after researching the Borough, County, and State websites she found the forms all to be very similar except of course the masthead which was specific to each entity. Therefore, the forms Mrs. Wooster created matched those forms with the exception of making them our own by putting the Clementon Housing Authority at the top of each form. The required forms are: The OPRA Request form, the Custodial Response: receipt template, partial denial template, denial template, clarification template, extension request template and special service charges template. Mrs. Wooster asked for a motion to approve the OPRA/OPMA forms. Commissioner Kuns, seconded by Commissioner Nicholson, made a motion to approve the OPRA/OPMA forms. Roll call vote: All ayes.

Procedural Change Regarding Executive Session

Mrs. Wooster advised that another of Mr. Schmidt's findings was that our executive session procedure was not in compliance with the OPRA. Mr. Schmidt found that under our current procedure, we go into executive session without a resolution, vote in executive session, and adjourn from executive session without going back into the regular meeting. Commissioner Nicholson asked if the public minutes would then have names, etc. redacted if necessary. A discussion followed and Mrs. Wooster explained that each set of minutes would be reviewed on a case by case basis and any items deemed "private" for some reason would be allowed to be redacted. Mrs. Wooster asked for a motion for a procedural change in regard to executive sessions.

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Commissioner Nicholson, seconded by Commissioner Casella, made a motion for a procedural change regarding executive session: effective immediately, when going into executive session the Board will now adjourn from the regular meeting via a resolution (a sample resolution was provided by Mr. Schmidt) and any voting is to take place after adjournment from the executive session which returns the meeting to the open public meeting thus memorializing the results of the executive session in the open public meeting minutes. Roll call: All ayes.

Financial Disclosures

Mrs. Wooster advised that Mr. Schmidt had in one of his requests stated that Commissioners Porter and Watson had "refused" to submit their financial disclosures as required by law. Commissioner Watson advised that he was offended by the term "refused". Commissioners Porter and Watson both stated that they turned in their FDF (financial disclosure form) not once, but twice. Mr. Schmidt advised that when he checked back in June regarding the submission of the FDFs that the Borough clerk was on maternity leave and that someone else was overseeing the submission. Mr. Schmidt advised that after he inquired about this matter twice and was told that there were only three FDFs submitted, he assumed that Commissioners Porter and Watson refused to submit them. Mrs. Wooster advised that when she inquired at the Borough offices the deputy clerk provided her with copies of the submissions by Commissioner Porter and Watson. Therefore, this issue is resolved. Solicitor Shusted said he would be submitting his form shortly.

Hearing Panel

Mrs. Wooster advised that she reviewed our Grievance Procedure and was unable to find anything stating that the Hearing Panel members could not be the same persons as our Board of Commissioners members. Commissioner Nicholson advised that it appears that the issue is that when the entire panel meets it could be construed as a quorum, therefore perhaps it would be better if not all panel members attend each hearing. A discussion followed. Mrs. Wooster asked for more time to review proper hearing panel procedures.

Commissioner E-mail Address

Mrs. Wooster thanked Mr. Schmidt for the advice on setting up an exclusive e-mail address for the Board of Commissioners and she had done so. She advised the Board that if they had any problem with getting into the e-mail to please let her know.

Comparability Analysis

Mrs. Wooster advised the board that HUD is now requiring that all PHAs annually submit a form listing the five (5) highest compensated employees and the breakdown of their salaries. Mrs. Wooster advised that our accountant, Joseph Kavanaugh, is completing the form on behalf of the Authority. They are also requiring that when the next Annual/Five-Year Plan is submitted the Board must certify that they have down some sort of salary comparability analysis that justifies the salary of the Executive Director (ED). Mrs. Wooster advised that how the Board does this is up to them. One option would be for Mrs. Wooster to contact other Authorities and obtain their ED's information. Commissioner Casella stated

that he did not feel that Mrs. Wooster should be conducting the analysis; he felt maybe one or two of the commissioners could look into this instead. Commissioner Kuns suggested that maybe Maria Cimino, a Housing Consultant, may provide this service. Mrs. Wooster said she would contact Maria about this. Mrs. Wooster also advised the Board that there is a good possibility that HUD may provide a source by the time the form is required. A discussion followed and it was decided to wait and see what develops.

Emergency Phone in Elevator

Mrs. Wooster advised that a tenant had been trapped in the elevator last week but all is well. There was a power blip and it shut the car down. Mrs. Wooster also advised that Otis Elevator has contacted us and that they have implemented a new procedure that they will no longer contact us if after they have contacted the elevator car based on the emergency button being pushed, no one responds. They are considering the no response to be because either the button was pushed by mistake or it was a prank. A discussion followed and the Board directed Mrs. Wooster to contact Otis and advise them the Authority is to be contacted every time the emergency button is pushed.

Sunshine Person

Mrs. Wooster advised the Board that since Mary Lou Creedon is no longer on the board, we no longer have a Sunshine person and asked if there were any volunteers. Commissioner Porter volunteered.

Maintenance

Mrs. Wooster advised the Board that Walt had surgery and will be out for about a week.

Recycling

Mrs. Wooster advised the Board that the Clementon Borough has advised us that we are now required to recycle. This will require that we get another dumpster for the recyclables along with having a concrete pad poured for the dumpster to rest on. Mrs. Wooster advised that she has discussed this with Walt, Tom, and Waste Management and that the recycling cans will be kept inside the building and the tenants will be responsible to bring down the items to the first floor. Walt and Tom will be responsible for taking them to the dumpster.

Mrs. Wooster advised that she has received three quotes for the concrete pad; Quality Landscaping for \$1,129.00, Gambale Construction for \$1,125.00 and a contractor provided by Erial Concrete for \$1,175.00. Commissioner Nicholson pointed out that before making the decision the Board may want to take into consideration that Quality Landscaping often gives us complimentary spring flowers. A discussion followed and everyone agreed that it would be best to award the job to a company like Gambale Construction that specializes in this type of work. Commissioner Porter, seconded by Commissioner Casella, made a motion to approve Gambale Construction for the amount of \$1,125.00. Roll call: All ayes.

File Review

Mrs. Wooster advised that she has received two proposals to do our file review; one from Maria Cimino

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with one day on site, and a proposal from William J. Harris at a rate of \$75.00 an hour not to exceed \$7,500.00. Mrs. Wooster added that she spoke to Mr. Harris and although he has extensive Housing Authority experience, he has little experience with file reviews. When Mrs. Wooster contacted Ms. Cimino she was in the process of performing file reviews for two separate Housing Authorities in New York. A discussion followed. Commissioner Kuns, seconded by Commissioner Nicholson, made a motion to award the contract to Maria Cimino at a rate of \$95.00 an hour, not to exceed 14 hours. Roll call: All ayes.

Tenant Meeting

Mrs. Wooster advised that she had a tenant meeting to discuss any issues or concerns that anyone might have and to advise the tenants of upcoming projects in the building. One of the things that Mrs. Wooster is looking into is to install a key fob swipe on the community room door that leads out to the patio. Mrs. Wooster advised that at this time we are using Siemens to service our security door system but coincidentally, a serviceman who used to work for ADT stopped in to advise us that he was starting his own business and he is familiar with the make and model of our system. He gave us a quote for under \$2000.00 to install the key fob swipe on the community room doors. Mrs. Wooster advised that she is still looking into this matter.

Christmas Party

Mrs. Wooster advised that a tenant has offered to "host" a Christmas party. Mrs. Wooster advised the Board that she contacted our accountant and he felt as long as the cost is kept close to last year's cost of approximately \$2,800.00 it would be acceptable. Commissioner Nicholson, seconded by Commissioner Porter, made a motion to approve a Christmas party for the tenants for 2011. Roll call vote: All ayes.

SEMAP

Mrs. Wooster advised that we received a high performance score on our SEMAP.

Meet the Candidates

Commissioner Nicholson questioned if the office had received via email the local Republican Candidates' request to reserve the Community Room on November 5, 2011 around 12:00 noon to set up a table and possibly use one outlet for a "meet and greet". There would also be light refreshments. After Mrs. Murray checked the calendar, Mrs. Wooster advised that the room could be reserved. The Board directed Mrs. Wooster to send a letter to the Clementon Democrat Club offering the same opportunity to the local Democrat candidates.

Vending Machine

Mrs. Wooster advised that the vending machine will be installed within the next couple of days.

Capital Fund Program

Mrs. Wooster advised that the lighting and camera projects are moving slowly.

Section 8

Bills

Bills were presented for approval in the amount of \$22,280.00 for the HCV program for checks dated October 1, 2011 through October 31, 2011. Commissioner Porter, seconded by Commissioner Casella, made a motion to approve the payment of bills with proper certification in the amount of \$22,280.00 for checks dated October 1, 2011 through October 31, 2011. Roll call vote: All ayes.

Bills were presented for approval in the amount of \$8,516.00 for the Disabled Voucher Program for checks dated October 1, 2011 through October 31, 2011. Commissioner Casella, seconded by Commissioner Porter, made a motion to approve the payment of bills with proper certification in the amount of \$8,516.00 for the Disabled Voucher Program for checks dated October 1, 2011 through October 31, 2011. Roll call vote: All ayes.

Bills were presented for approval in the amount of \$4,424.04 for Vendor checks dated October 1, 2011 through October 31, 2011. Commissioner Casella, seconded by Commissioner Porter, made a motion to approve the payments of bills with proper certification in the amount of \$4,424.00 for Vendor checks dated October 1, 2011 through October 31, 2011. Roll call vote: All ayes.

Public

Mr. John Schmidt addressed the Board regarding the OPRA/OPMA requirements. Mr. Schmidt advised that an actual OPRA request form is not required; all a person has to do is have the letters OPRA on the request. Commissioner Kuns cited information he had from the State of New Jersey Attorney General's office which contradicted Mr. Schmidt's comment. Mr. Schmidt advised that the information the Commissioner had has been updated to no longer require exclusive use of the form. Mr. Schmidt advised the Board that he had recently filed and won a lawsuit against Gloucester City regarding their OPRA/OPMA violations; however, it appeared that the Authority appeared to be willing to comply with his findings.

Regarding the request to use the community room for political activity from Chairperson Nicholson, Mr. Schmidt felt that there should have been a motion to make this request and that for all intents and purposes, the request should not have come from Chairperson Nicholson as it gives the impression that he is using his authority on the Board to receive a favorable response. Mrs. Wooster advised that there is no need of a motion to approve the request because the policy allowing political candidates to make such a request is already in place. Chairperson Nicholson also stated that he was not making the request as a Board member but as a citizen and a candidate of the Borough of Clementon.

Mr. Schmidt's last issue with the Housing Authority was that he felt that he was treated with disrespect when he came to our Board meeting last month; that it was like a three ring circus. He was threatened by our solicitor, we tried to have him arrested, and that we and other professionals felt that we were above the law. Solicitor Shusted addressed Mr. Schmidt and asked him to show the Board on his recorder where he was threatened and how we tried to have him arrested. Mr. Schmidt advised that the recorder was not on at that time because the meeting had not started. Solicitor Shusted said that he

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wanted his comments to now be recorded so that it is made clear that Mr. Schmidt was never threatened by anyone and was never approached by a police officer. Mr. Schmidt then proceeded to read to the Board, referencing from an article, a comment regarding intimidation becoming an issue when a member of the public appears in front of a Board. Mr. Schmidt stated that because he is familiar with his rights, he is not intimidated by any comments, but he is concerned that someone unfamiliar with their rights may be, and it is the responsibility of all Board members to be educated on all policies like the OPRA and OPMA to insure that the public is allowed to act upon their rights and be treated with respect.

The Board thanked Mr. Schmidt for his comments.

Commissioner Porter, seconded by Commissioner Casella, made a motion to adjourn. Voice vote: All ayes.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sheila K. Wooster".

Sheila K. Wooster
Secretary