MINUTES OF THE REGULAR MEETING OF LODI HOUSING AUTHORITY, 50 BROOKSIDE AVENUE, LODI, NEW JERSEY AT 6:00 PM ON TUESDAY, DECEMBER 21, 2021

<u>Call to Order</u>: Due to Chairman Steven De Nobile's absence, Vice Chairman Robert Riley, Jr. called the Regular Meeting to Order at 6:00 PM.

<u>Pledge of Allegiance</u>: Vice Chairman Riley requested everyone stand for the Pledge of Allegiance, and after the Pledge, the Vice Chairman made the following statement, "This Agenda is posted to inform the Public of actions being considered by the Authority's Board of Commissioners and its Executive Director/Secretary Treasurer. There may be additions and deletions prior to the Board Meeting before taking final action." Vice Chairman Riley also stated the following, "This meeting has been publicly advertised in compliance with the Open Public Meeting Act."

Roll Call: In addition to Vice Chairman Riley, the meeting was attended by Commissioners Daniel J. Cody, Albert Di Chiara, Paul V. Lynch and Robert Marra. Chairman Steven De Nobile was absent and Commissioner Marc N. Schrieks was absent/resigned.

Lodi Housing Authority Attorney Conrad M. Olear, Esq., Executive Director/Secretary Treasurer Thomas DeSomma, and Housing Manager/Recording Secretary Carol A. Ferrara were also present. Deputy Executive Director Gary Luna was absent.

Bids: None

Approval of Minutes:

Motion was made by Commissioner Lynch and Seconded by Commissioner Cody to approve the Minutes of the Regular Meeting held on November 18, 2021.

Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT		
Commissioner Cody Commissioner Di Chiara Commissioner Lynch Commissioner Marra Vice Chairman Riley	NONE	NONE	Chairman De Nobile Commissioner Schrieks (absent/resigned)		

Motion was made by Commissioner Cody and Seconded by Commissioner Lynch to approve the Minutes of the Closed Session of the Regular Meeting held on November 18, 2021.

Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT		
Commissioner Cody Commissioner Di Chiara Commissioner Lynch Commissioner Marra Vice Chairman Riley	NONE	NONE	Chairman De Nobile Commissioner Schrieks (absent/resigned)		

Communications:

- 1. Commissioner Marc N. Schrieks has resigned from the Board effective 12/15/21
- 2. Monthly PIC Reports: Public Housing @ 100% & Section 8 @ 98.9%

Report of Attorney:

- 1. <u>New:</u>
- 2. Updates:
- 3. Any Other Pending Litigation/Personnel Matters to be Discussed:

REFER TO CLOSED SESSION – ATTORNEY-CLIENT PRIVILEGED DISCUSSIONS FOR RELATED CORRESPONDENCE

MINUTES OF REGULAR MEETING - DECEMBER 21, 2021 (cont'd)

Report of Accountant: Nothing at this time.

Report of Security: Nothing at this time

Bills Agenda:

Motion to Approve the <u>December 2021</u> Bills Agenda was made by Commissioner Di Chiara and Seconded by Commissioner Cody.

Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner Di Chiara Commissioner Lynch Commissioner Marra Vice Chairman Riley	NONE	NONE	Chairman De Nobile Commissioner Schrieks (absent/resigned)

Report of Executive Director:

1. CONTRACT REPORT:

	CONTRACT AWARDED TO:	CONTRACT FOR:					
1.	None						
2.							
1	I HEREBY CERTIFY THE "FUNDING AVAILABILITY" TO AWARD THE CONTRACTS, AS REFERENCED HEREIN AND FURTHER CERTIFY THAT ALL CONTRACT PRICES WERE OBTAINED IN COMPLIANCE WITH LHA AND THE US DEPARTMENT OF HUD CFR 85-36 ESTABLISHMENT OF PROCUREMENT POLICY.						
	CONTRACT LISTED ABOVE <u>DOES NOT REQUIRE BOARD APPROVAL</u> SINCE YEARLY CONTRACT AMOUNT IS WITHIN EXECUTIVE DIRECTOR'S THRESHOLD TO AWARD						

27	CONTRACT AWARDED TO:	CONTRACT FOR:					
1.	None						
2.							
1	I HEREBY CERTIFY THE "FUNDING AVAILABILITY" TO AWARD THE CONTRACTS, AS REFERENCED HEREIN AND FURTHER CERTIFY THAT ALL CONTRACT PRICES WERE OBTAINED IN COMPLIANCE WITH LHA AND THE US DEPARTMENT OF HUD CFR 85-36 ESTABLISHMENT OF PROCUREMENT POLICY.						
	CONTRACT LISTED ABOVE <u>DOES REQUIRE BOARD APPROVAL</u> SINCE YEARLY CONTRACT AMOUNT IS NOT WITHIN EXECUTIVE DIRECTOR'S THRESHOLD TO AWARD						

- Public Ad for A&E Services for repair/replacement of fire alarm/call to aid system at all S/C Complexes
- 3. FEMA insurance coverage payment received to date is \$389,137.95 LHA has submitted its 2nd payment request in the amount of \$172,371.13
- 4. NJ JIF Risk Control Assessment was originally scheduled for 12/17/21 but was canceled by JIF and will be re-scheduled in January 2022
- 5. Motion was made by Commissioner Cody and Seconded by Commissioner Lynch to Approve the rescheduling of the 12/16/21 Board Meeting to 6 PM on 12/21/21 due to lack of quorum on 12/16/21. Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT		
Commissioner Cody Commissioner Di Chiara Commissioner Lynch Commissioner Marra Vice Chairman Riley	NONE	NONE	Chairman De Nobile Commissioner Schrieks (absent/resigned)		

MINUTES OF REGULAR MEETING - DECEMBER 21, 2021 (cont'd)

Report of Deputy Executive Director/Administrator Section 8/Housing Manager:

Due to absence of Deputy Executive Director, the following report was made by Executive Director:

- 1. S/C Boiler Repairs/Restoration
- 2. 2nd Floor Office Renovations substantially completed Change Order #1 pending
- 3. Massey Street Parking Lot Expansion –completed & waiting for Contractor's Close-Out Documents payment request sent to Bergen County (BCCD)
- 4. Update on progress in the Rennie Place 1st floor dwelling units due to flooding by Tropical Storm Ida

Resolutions:

CONSENT AGENDA (Resolutions are matters covering operation of Lodi Housing Authority and will be passed by one roll call vote covering all items on the Consent Agenda.)

Motion to Approve Resolutions by Consent Agenda was made by Commissioner Marra and Seconded by Commissioner DiChiara. Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT		
Commissioner Cody Commissioner Di Chiara Commissioner Lynch Commissioner Marra Vice Chairman Riley	mmissioner Cody missioner Di Chiara mmissioner Lynch mmissioner Marra		Chairman De Nobile Commissioner Schrieks (absent/resigned)		

1. Resolution #21-08	Certifying Resolution – Commissioners' Receipt of FYE 09/30/20 Independent Public Audit (IPA)
2. Resolution #21-09	2021 Final Adopted Budge Resolution – NJDCA & Capital Fund – FY 10/01/21 – 09/30/22
3. Resolution #21-10	Rescinding Resolution #17-35 Entitled Employee Incentive – Unused Accrued Sick Leave
4. Resolution #2111	Employee Incentive – Unused Accrued Vacation Leave
5. Resolution #21-12	Change Order #1, #2, #3 – Total Cost Change of \$3,086.65 – Massey Street Parking Lot Expansion by 4 Clean Up, North Bergen

Report of Commissioner:

Unfinished Business: None

Old Business: None

New Business: None

Good & Welfare: None

Hearing of Citizens: None in Attendance

MINUTES OF REGULAR MEETING - DECEMBER 21, 2021 (cont'd)

Closed Session:

Motion to End Regular Order of Business and go into Closed Session was made by Commissioner Cody and Seconded by Commissioner Lynch.

Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT		
Commissioner Cody Commissioner Di Chiara Commissioner Lynch Commissioner Marra Vice Chairman Riley	NONE	NONE	Chairman De Nobile Commissioner Schrieks (absent/resigned)		

Motion to End Closed Session and return to Regular Order of Business was made by Commissioner Cody and Seconded by Commissioner Di Chiara.

Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner Di Chiara Commissioner Lynch Commissioner Marra Vice Chairman Riley	er Cody Di Chiara er Lynch NONE er Marra		Chairman De Nobile Commissioner Schrieks (absent/resigned)

Adjournment:

Motion to Adjourn was made by Commissioner Cody and Seconded by Commissioner Di Chiara. Upon Roll Call, the Board voted as follows:

AYES	NAYS	ABSTAINED	ABSENT		
Commissioner Cody Commissioner Di Chiara Commissioner Lynch Commissioner Marra Vice Chairman Riley	NONE	NONE	Chairman De Nobile Commissioner Schrieks (absent/resigned)		

Meeting was Adjourned at 6:35 PM and Vice Chairman Riley declared the Regular Meeting closed.

THOMAS DeSOMMA

Executive Director/Secretary Treasurer

STEVEN De NOBILE, Chairman or

ROBERT RILEY, JR., Vice Chairman

Transcribed/Typed by:

CAROL A. FERRARA

Housing Manager/Recording Secretary

Governing Body Recorded Vote - Members:

	Board Members	Aye	Nav	Abstain	Absent	
	Commissioner D. J. Cody	17/		Abotan	Aboone	
5	Commissioner A. Di Chiara					
•	Commissioner P. V. Lynch					
M	Commissioner R. Marra	V				1/2/15
	Commissioner M. N. Schrieks					Resigned 12/15
	Vice Chairman R. Riley, Jr.	V				
	Chairman S. De Nobile		_		-	
Ap	provedDenied	REVIEWED	AND APP	OVED AS TO	LEGALITY:	·
		GHA ATTO	RNEY - CO	NRAD M. OLEA	AR. ESQ.	<u> </u>

CERTIFYING RESOLUTION – COMMISSIONERS' RECEIPT OF FYE 09/30/20 INDEPENDENT PUBLIC AUDIT (IPA)

WHEREAS, NJSA 40A:5A-15 requires the governing body of each local Authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for fiscal year ending September 30, 2020 has been completed and filed with the NJDCA pursuant to NJSA 40A:5A-15; and

WHEREAS, NJSA 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations," in accordance with NJSA 40A:5A-17;

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Lodi Housing Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended September 30, 2020, and specifically has reviewed the sections of the audit report entitled "General Comments" and Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED, that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON:

Cember 21 2021



A HUD SPONSORED PUBLIC HOUSING AGENCY

50 Brookside Avenue ■ Lodi, New Jersey 07644

December 21, 2021

LODI HOUSING AUTHORITY INDEPENDENT PUBLIC AUDIT (IPA) FYE 09/30/20

We hereby Certify that we have received a copy of the submitted FYE 09/30/20 IPA as prepared by Francis J. McConnell, Certified Public Accountant.

We further Certify that this FYE 09/30/20 IPA has been presented and placed on the December 21, 2021 Regular Meeting Agenda by the Executive Director of the Lodi Housing Authority.

Received but absent from	mtz.	forky	12/21/2021		
Steven De Nobile, Chairman	Date	Robert Riley, Jr., Vice Chairman	Date		
Daniel J. Cony, Commissioner	12-21-2021 Date	Albert Di Chiara, Commissioner	/2/4/2/ Date		
Paul V. Lynch, Commissioner	/2-2/-2/ € Date	Robert Marra, Commissioner	12/21/2(Date		
Resigned 12/15/21 Marc N. Schrieks, Commissioner Date					

ATTESTED:

ơngad M. Olear, Èse.

Date

Governing Body Recorded Vote - Members:

	Board Members	Aye	Nay	Abstain	Absent	1
	Commissioner D. J. Cody	0/				
5	Commissioner A. Di Chiara	1/				1
ĺ	Commissioner P. V. Lynch					
p.A.	Commissioner R. Marra	₩ /				1
-	Commissioner M. N. Schrieks		n		V	Resigned 12/15
	Vice Chairman R. Riley, Jr.	•				
	Chairman S. De Nobile					1
Ap	proved Denied		0 · A		1-1	•

2021 FINAL ADOPTED BUDGET RESOLUTION LODI HOUSING AUTHORITY

LHA ATTORNEY - CONRAD M. ØLEAR. ESO

FISCAL YEAR: FROM 10/01/2021 TO 09/30/2022

WHEREAS, the Annual Budget and Capital Budget/Program for the Lodi Housing Authority for the fiscal year beginning October 1, 2021 and ending September 30, 2022 has been presented before the governing body of the Lodi Housing Authority at its open public meeting of September 30, 2021; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$8,864,382, Total Appropriations, including any Accumulated Deficit, if any, of \$8,743,625 and Total Unrestricted Net Position utilized of \$N/A; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$442,633 and Total Unrestricted Net Position planned to be utilized of \$NA.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Lodi Housing Authority, at an open public meeting held on <u>September 30, 2021</u> that the Annual Budget and the Capital Budget/Program of the Lodi Housing Authority for the fiscal year period beginning <u>October 1, 2021 and ending September 30, 2022</u>, is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON:

Governing Body Recorded Vote - Members:

	Board Members	Ayer	Nay	Abstain	Absent	
	Commissioner D. J. Cody	V/				
4	Commissioner A. Di Chiara	4/		Name of the last o		
•	Commissioner P. V. Lynch	1/				
[^	Commissioner R. Marra	V				Resigned 14/18
-	Commissioner M. N. Schrieks				6	Kesi gwesi 171
	Vice Chairman R. Riley, Jr.	V				_
	Chairman S. De Nobile					_
Approved Denied REVIEWED AND APPROVED AS TO LEGALITY:						
				NRADW. OLE	V V	

RESCINDING RESOLUTION #17-35 ENTITLED EMPLOYEE INCENTIVE – UNUSED ACCRUED SICK LEAVE

WHEREAS, the Board of Commissioners (Board) of Lodi Housing Authority (LHA) adopted Resolution #17-35 (referenced above) as "Employee Incentive" on 09/30/21: and

WHEREAS, LHA's Executive Director recently received a copy of the State of NJ Office of State Comptroller (NJS OSC) report dated 03/02/21 (see attached); and

WHEREAS, upon the Executive Director's further review of NJS OSC report referencing both NJSA 11A 6-19, NJSA 40A 9-10.4, along with several Local Finance Notices (LFN) indicating such supplemental sick leave buy out (yearly) as being not in compliance with NJS laws; and

WHEREAS, the Executive Director hereby recommends the immediate rescinding of Resolution #17-35 to be in compliance with applicable NJS laws governing sick leave payout; and

WHEREAS, the Executive Director hereby further recommends to maintain Employee Incentive the Board consider adoption of Vacation Leave Payout as referenced in Board Resolution #21-11.

NOW, THEREFORE, BE IT RESOLVED, as recommended by LHA's Executive Director, Resolution #17-35 is hereby rescinded.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON:

RESOLUTION #21-11

Governing Body Recorded Vote - Members:

	Board Members	Aye	Nay	Abstain	Absent	
	Commissioner D. J. Cody					
4	Commissioner A. Di Chiara	1				
	Commissioner P. V. Lynch	//				
M	Commissioner R. Marra	8				- 1000
•	Commissioner M. N. Schrieks				9/	RESigned 1415
	Vice Chairman R. Riley, Jr.	V				
	Chairman S. De Nobile					_
Approved Denied REVIEWED AND APPROVED AS TO LEGALITY						
	LHA-ATTOBNEY - CONRAD M. OLEAR, ESO.					
		CIIDANI OCHILI - O	CHICAD III.	OPELIAN, ESSE.	_	

Employee Incentive - Unused Accrued Vacation Leave

WHEREAS, the Lodi Housing Authority (LHA) Board of Commissioners (Board) rescinded Resolution #17-35 (Employee Incentive/Unused Accrued Sick Leave) via Resolution #21-10; and

WHEREAS, LHA's Executive Director and Board wishes to continue offering its full-time employees an "incentive" in an effort to maintain a positive employer/employee relationship; and

WHEREAS, the Executive Director's review of the NJS OSC report dated 03/02/21 (referenced in Resolution #21-10) and said review indicates that Vacation Leave beyond a one-year accrued entitlement cannot be accumulated (referencing NJSA 40A: 9-10.3; and

WHEREAS, the Executive Director hereby recommends "Accrued Vacation Leave" beyond a one-year entitlement would be considered either "Use or Lose" to its full-time employees, and therefore, the Executive Director further recommends the Board establish the "Employee Accrued Vacation Leave Compensation Incentive Program" referenced below:

Employee Accrued Vacation Leave Compensation Incentive Program

- 1. Must be full-time (as defined within the Personnel Policy) with Lodi Housing Authority and with full-time status for five (5) years (continuous service) preceding participation; and
- 2. Must have one year's accrued vacation time at the minimum to be eligible to participate in the Compensation Incentive; and
- 3. Will only be eligible for compensation of accrued vacation leave with a minimum of one year vacation entitlement; and
- 4. Will not be eligible to participate if, in LHA's fiscal year prior to request for compensation, employee has either received authorization for unpaid leave for three (3) months or more in the preceding fiscal year or employee has been suspended for 60 calendar days or more no employee will be eligible for compensation; and
- 5. Written request for "Compensation Incentive" must be submitted yearly not later than 30 days after LHA's FYS 10/01; and
- 6. Those qualified shall be paid at employee's **preceding** FY hourly rate x number of hours eligible, as reflected in chart below; and
- 7. Upon authorized payment will result in equal number of hours to be deducted accrued vacation leave time; and
- 8. It shall further be understood this "Compensation Incentive Payment" is not part of employee's base salary and will be paid by separate check.

WHEREAS, LHA's Executive Director, with the Board's establishment of "Employee Incentive," certifies the funding availability for this Employee Incentive and further certifies it does not adversely impact LHA's financial viability and in LHA's desire to offer employees the opportunity to participate in this incentive program.

NOW, THEREFORE, BE IT RESOLVED, the LHA's Executive Director certified the Authority's funding availability to offer said "Employee Accrued Vacation Compensation Program," as referenced herein, and the Board further recognizes due to Dept. of HUD funding variables, which includes dwelling rents, are the main sources of its financial solvency — as such, the Board hereby approves the Employee Accrued Vacation Compensation Program. However, should the Board, upon notice/recommendation of Executive Director, be notified Authority can no longer maintain its financial solvency to fund such "Employee Incentive Program," the Board shall rescind said program and provide all full-time employees notice of same.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Board hereby authorizes adoption of the "Employee Accrued Vacation Compensation Program" be effective 10/01/22 and the amendments to its Employee Personnel Policy, Sections as referenced herein, and further authorizes the Executive Director to implement the changes; the Board further authorizes all Personnel Policies not consistent with the changes herein are hereby rescinded and abrogated effective immediately.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON:

Governing Body Recorded Vote - Members:

	Board Members	Aye′	Nav	Abstain	Absent	1 .
,	Commissioner D. J. Cody			Abotain	Absent	-
9	Commissioner A. Di Chiara	V /	***************************************			
_	Commissioner P. V. Lynch		***************************************			
ía,	Commissioner R. Marra	a d	1177241111	***************************************		
	Commissioner M. N. Schrieks	/	***			Resigned 1415
	Vice Chairman R. Riley, Jr.					resigned igis
	Chairman Ş. De Nobile		***************************************			
Аp	proved Denied	REVIEWED	AND APPR	OVED AS TO I	PYAUTO	

CHANGE ORDER #1, #2, #3 – TOTAL COST CHANGE OF \$3,086.65 PERTAINING TO MASSEY STREET PARKING LOT EXPANSION BY 4 CLEAN UP, NORTH BERGEN, NJ

WHEREAS, the Board of Commissioners (Board) of Lodi Housing Authority (LHA) previously awarded 4 Clean Up, Inc. the Contract for the Expansion of the Masset Street Parking Lot via Board Resolutions #20-34; and

WHEREAS, LHA's Design & Inspection Engineer recommends Change Order #1, #2, #3 to said Contract reflecting an increase of \$3,086.65 to the original Contract for additional work requested by LHA (see Design Consultant's correspondence dated 12/16/21); and

WHEREAS, LHA's Counsel, Conrad M. Olear, Esq., has reviewed related documents and applicable NJSA related to such Public Contracts and related change orders; and

WHEREAS, said Change Order #1, #2, #3, as stated herein, is below the 20% allowable under NJSA; and

WHEREAS, LHA's Executive Director hereby certifies the Funding Availability to award Change Order #1, #2, #3.

NOW, THEREFORE, BE IT RESOLVED, by LHA's Board of Commissioners, Change Order #1 is hereby approved and awarded to 4 Clean Up, Inc. as follows:

\$108,245.00	Original Contract Award
3,086.65	Change Order #1, #2, #3
\$113,331.65	Contract Grand Total

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Executive Director/ Secretary Treasurer is hereby authorized to execute any and all Contract Documents pertaining to Change Order #1, #2, #3.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE COPY AS ADOPTED BY THE HOUSING AUTHORITY OF THE BOROUGH OF LODI AT THE MEETING HELD ON: UES day December 2/202/