

**MINUTES OF THE REGULAR MEETING OF LODI HOUSING AUTHORITY, 50 BROOKSIDE AVENUE, LODI, NEW JERSEY AT 6:00 PM ON THURSDAY, MARCH 16, 2023**

**Call to Order:** Chairman Robert Riley called the Regular Meeting to Order at 6:00 PM.

**Pledge of Allegiance:** Chairman Riley requested everyone stand for the Pledge of Allegiance, and after the Pledge, the 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." 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 Chairman Riley, the meeting was attended by Vice Chairman Robert Marra and Commissioners Daniel J. Cody, Steven De Nobile, Albert Di Chiara and Paul V. Lynch. No one was absent.

The Meeting was also attended by Lodi Housing Authority Attorney Conrad M. Olear, Esq., Executive Director/Secretary Treasurer Thomas DeSomma, Deputy Executive Director Gary Luna, and Housing Manager/HRC/Recording Secretary Carol A. Ferrara.

**Bids:** None

**Approval of Minutes:**

**Motion was made by Commissioner Cody and Seconded by Commissioner Lynch to approve the Minutes of the Regular Meeting held on February 16, 2023. Upon Roll Call, the Board voted as follows:**

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Vice Chairman Marra Chairman Riley	NONE	NONE	NONE

**Motion was made by Commissioner Cody and Seconded by Commissioner Di Chiara to approve the Minutes of the Closed Session of the Regular Meeting held on February 16, 2023. Upon Roll Call, the Board voted as follows:**

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Vice Chairman Marra Chairman Riley	NONE	NONE	NONE

**Communications:**

1. PIC Monthly Report – PH @100% and S8 @99.33%
2. REAC Notice of Physical Inspection completed on 02/21/23-02/22/23
3. 5 Yr/Annual PHA Plan Hearing for Public Comments scheduled for 6 PM on 04/20/23

**MINUTES OF REGULAR MEETING – MARCH 16, 2023 (cont'd)**

**Report of Attorney:**

1. **New:**
2. **Updates:**
3. **Any Other Pending Litigation/Personnel Matters to be Discussed:**

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

**Report of Accountant:** Nothing at this time.

**Report of Security:** Nothing at this time.

**Bills Agenda:**

**Motion to Approve the March 2023 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 De Nobile Commissioner Di Chiara Commissioner Lynch Vice Chairman Marra Chairman Riley	NONE	NONE	NONE

**Report of Executive Director:**

1. **Contract Report:**

CONTRACT AWARDED TO:		CONTRACT FOR:
a.		
b.		
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 DOES NOT REQUIRE BOARD APPROVAL SINCE YEARLY CONTRACT AMOUNT IS WITHIN EXECUTIVE DIRECTOR'S THRESHOLD TO AWARD		

CONTRACT AWARDED TO:		CONTRACT FOR:
1.	LS Engineering Associates Corp. 150 River Road, Bldg. E, Ste. E2 Montville, NJ 07045 973-588-3122	Re-Design of S/C Fire Alarm/Call to Aid Systems – as previously authorized negotiations (under Res. #22-14) have been completed \$7,800.00
2.		
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 DOES REQUIRE BOARD APPROVAL SINCE YEARLY CONTRACT AMOUNT IS NOT WITHIN EXECUTIVE DIRECTOR'S THRESHOLD TO AWARD		

**Motion to Approve the above referenced Contract 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 De Nobile Commissioner Di Chiara Commissioner Lynch Vice Chairman Marra Chairman Riley	NONE	NONE	NONE

**MINUTES OF REGULAR MEETING – MARCH 16, 2023 (cont'd)**

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

1. Update – Re-Design/Re-Bid Fire Alarm/Call to Aid/Pull Stations – Bid Opening @ 10:00 AM on 04/07/23

**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 Cody and Seconded by Commissioner Di Chiara.  
Upon Roll Call, the Board voted as follows:**

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Vice Chairman Marra Chairman Riley	NONE	NONE	NONE

1.	Resolution #22-15	Approval & Adoption of FY 2023 Capital Fund Program Grant – NJ39P01150123 – \$552,754.00
2.	Resolution #	

**Report of Commissioner:**

**Unfinished Business:** None

**Old Business:** None

**New Business:** None

**Good & Welfare:** None

**Hearing of Citizens:** None in Attendance

**Closed Session:**

**Motion to End Regular Order of Business and go into Closed Session 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 De Nobile Commissioner Di Chiara Commissioner Lynch Vice Chairman Marra Chairman Riley	NONE	NONE	NONE

**MINUTES OF REGULAR MEETING – MARCH 16, 2023 (cont'd)**

**Motion to End Closed Session and return to Regular Order of Business 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 De Nobile Commissioner Di Chiara Commissioner Lynch Vice Chairman Marra Chairman Riley	NONE	NONE	NONE


**Adjournment:**

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

AYES	NAYS	ABSTAINED	ABSENT
Commissioner Cody Commissioner De Nobile Commissioner Di Chiara Commissioner Lynch Vice Chairman Marra Chairman Riley	NONE	NONE	NONE

Meeting was Adjourned at 7:26 PM and Chairman Riley declared the Regular Meeting closed.

  
 \_\_\_\_\_  
**THOMAS DeSOMMA**  
 Executive Director/Secretary Treasurer

  
 \_\_\_\_\_  
**ROBERT RILEY, JR., Chairman or**  
**ROBERT MARRA, Vice Chairman**

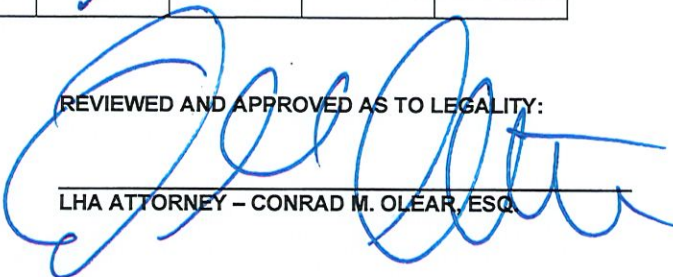
Transcribed/Typed by: Carol A. Ferrara  
**CAROL A. FERRARA**  
 Housing Manager/Recording Secretary

**RESOLUTION NO. 22-15**

Governing Body Recorded Vote – Members:

Board Members	Aye	Nay	Abstain	Absent
<i>M</i> Commissioner D. J. Cody	✓			
Commissioner S. De Nobile	✓			
<i>S</i> Commissioner A. Di Chiara	✓			
Commissioner P. V. Lynch	✓			
Vice Chairman R. Marra	✓			
Chairman R. Riley, Jr.	✓			

Approved  Denied

REVIEWED AND APPROVED AS TO LEGALITY:  
  
 LHA ATTORNEY – CONRAD M. OLEAR, ESQ.

**APPROVAL AND ADOPTION OF FY 2023  
 CAPITAL FUND PROGRAM GRANT – NJ39P01150123 – \$552,754**

**WHEREAS**, Lodi Housing Authority (LHA) has been awarded under the Capital Fund Program (CFP) \$552,754 for FY 2023 to be referred to under CFP Number NJ39P01150123; and

**WHEREAS**, FY 2023 CFP awards, require all PHAs to have a CFP 5-Year Action Plan that covers 2023 in Energy and Performance Information Center (EPIC); and

**WHEREAS**, LHA has developed and submitted in EPIC a new CFP 5-Year Action Plan covering 2023-2027; and

**WHEREAS**, in accordance with 24 CFR Part 990, LHA has less than 250 Public Housing Units and is a recognized High Performer, CFP is assigned to BLI 1406: and

**WHEREAS**, once CFP is placed on BLI 1406, Operations, LHA must follow requirements in accordance with 24 CFR 990; and

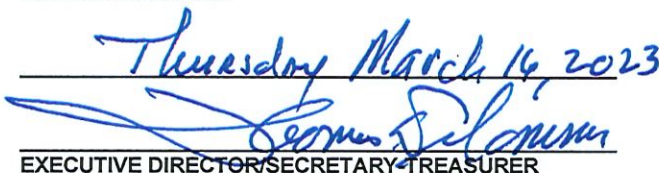
**WHEREAS**, LHA, in accordance with 24 CFR Part 905, including Approved HUD Form Certification of Compliance with Public Hearing HUD-50077-ST-HCV-HPfor Non-Qualified PHAs; and

**WHEREAS**, ACC Amendment transmitted to PHAs, requires a “Physical Signature” by Executive Director and submit signed ACC Amendment Electronically; and

**WHEREAS**, CFR Grant NJ39P01150123 has been prepared in accordance with FY 2023 Capital Fund revised processing information.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioner of the Lodi Housing Authority, in reference to CFP Grant NJ39P01150123, is hereby approved and adopted.

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:

Thursday March 16, 2023  
  
 EXECUTIVE DIRECTOR/SECRETARY-TREASURER

2023 Capital Fund

OMB Approval No. 2577-0075  
(exp. 08/31/2023)

Capital Fund Program  
(CFP) Amendment  
Annual Contributions Contract  
Terms and Conditions (HUD-52840-A)

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2577-0075. There is no personal information contained in this application. Information on activities and expenditures of grant funds is public information and is generally available for disclosure. Recipients are responsible for ensuring confidentiality when disclosure is not required. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

Whereas, (Public Housing Authority) Housing Authority of the Borough of Lodi NJ011 (herein called the "PHA") and the United States of America, Secretary of Housing and Urban Development (herein called "HUD") entered into an Annual Contributions Contract ACC(s) Numbers(s) (On File) dated (On File)

Whereas, in accordance with Public Law 117-328, Division L, Title II,

Whereas, HUD has agreed to provide CFP assistance, upon execution of this Amendment, to the PHA in the amount to be specified below for the purpose of assisting the PHA in carrying out capital and management activities at existing public housing projects in order to ensure that such projects continue to be available to serve low-income families. HUD reserves the right to provide additional CFP assistance in this FY to the PHA. When HUD provides additional amounts, it will notify the PHA and those amended grants will be subject to these terms and conditions.

\$ \$552,754.00 for Fiscal Year 2023 to be referred to under the Capital Fund Grant Number NJ39P01150123  
PHA Tax Identification Number (TIN): On File UEI Number: On File

Whereas, HUD and the PHA are entering into the CFP Amendment Number On File

Now Therefore, the ACC is amended as follows:

1. The ACC(s) is (are) amended to provide CFP assistance in the amount specified above for capital and management activities of PHA projects. This CFP Amendment is a part of the ACC.

2. The PHA must carry out all capital and management activities in accordance with the United States Housing Act of 1937 (the Act), 24 CFR Part 905 (the Capital Fund Final rule) as well as other applicable HUD requirements, except that the limitation in section 9(g)(1) of the Act is increased such that of the amount of CFP assistance provided for under this CFP amendment only, the PHA may use no more than 25 percent for activities that are eligible under section 9(e) of the Act only if the PHA's HUD-approved Five Year Action Plan provides for such use; however, if the PHA owns or operates less than 250 public housing dwelling units, such PHA may continue to use the full flexibility in accordance with section 9(g)(2) of the Act.

3. The PHA has a HUD-approved Capital Fund Five Year Action Plan and has complied with the requirements for reporting on open grants through the Performance and Evaluation Report. The PHA must comply with 24 CFR 905.300 of the Capital Fund Final rule regarding amendment of the Five Year Action Plan where the PHA proposes a Significant Amendment to the Capital Fund Five Year Action Plan.

4. For cases where HUD has approved a Capital Fund Financing Amendment to the ACC, HUD will deduct the payment for amortization scheduled payments from the grant immediately on the effective date of this CFP Amendment. The payment of CFP funds due per the amortization scheduled will be made directly to a designated trustee within 3 days of the due date.

5. Unless otherwise provided, the 24 month time period in which the PHA must obligate this CFP assistance pursuant to section 9(j)(1) of the Act and 48 month time period in which the PHA must expend this CFP assistance pursuant to section 9(j)(5) of the Act starts with the effective date of this CFP amendment (the date on which CFP assistance becomes available to the PHA for obligation). Any additional CFP assistance this FY will start with the same effective date.

6. Subject to the provisions of the ACC(s) and paragraph 3, and to assist in capital and management activities, HUD agrees to disburse to the PHA or the designated trustee from time to time as needed up to the amount of the funding assistance specified herein.

7. The PHA shall continue to operate each public housing project as low-income housing in compliance with the ACC(s), as amended, the Act and all HUD regulations for a period of twenty years after the last disbursement of CFP assistance for modernization activities for each public housing project or portion thereof and for a period of forty years after the last distribution of CFP assistance for development activities for each public housing project and for a period of ten years following the last payment of assistance from the Operating Fund to each public housing project. Provided further that, no disposition of any project covered by this amendment shall occur unless approved by HUD.

8. The PHA will accept all CFP assistance provided for this FY. If the PHA does not comply with any of its obligations under this CFP Amendment and does not have its Annual PHA Plan approved within the period specified by HUD, HUD shall impose such penalties or take such remedial action as provided by law. HUD may direct the PHA to terminate all work described in the Capital Fund Annual Statement of the Annual PHA Plan. In such case, the PHA shall only incur additional costs with HUD approval.

9. Implementation or use of funding assistance provided under this CFP Amendment is subject to the attached corrective action order(s).  
(mark one): Yes  No

10. The PHA is required to report in the format and frequency established by HUD on all open Capital Fund grants awarded, including information on the installation of energy conservation measures.

11. If CFP assistance is provided for activities authorized pursuant to agreements between HUD and the PHA under the Rental Assistance Demonstration Program, the PHA shall follow such applicable statutory authorities and all applicable HUD regulations and requirements. For total conversion of public housing projects, no disposition or conversion of any public housing project covered by these terms and conditions shall occur unless approved by HUD. For partial conversion, the PHA shall continue to operate each non-converted public housing project as low-income housing in accordance with paragraph 7.

12. CFP assistance provided as an Emergency grant or a Safety and Security grant shall be subject to a 12 month obligation and 24 month expenditure time period. CFP assistance provided as a Natural Disaster grant shall be subject to a 24 month obligation and 48 month expenditure time period. The start date shall be the date on which such funding becomes available to the PHA for obligation. The PHA must have a recorded and effective Declaration(s) of Trust on all property funded with Capital Fund grants (all types) or HUD will exercise all available remedies including recapture of grant funding.

The parties have executed this CFP Amendment, and it will be effective on the date HUD signs below.

U.S. Dept of HUD By <u>/s/</u> <u>Marianne Nazzaro</u> Date: <u>02/17/2023</u> Title: Deputy Assistant Secretary Office Public Housing Investments	PHA (Executive Director or authorized agent) By <u>[Signature]</u> <u>2-23-23</u> Date: Title <u>Executive Director</u>
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Previous versions obsolete

form HUD-52840-A OMB Approval No. 2577-0075 (exp. 08/31/2023)