

NEWTON HOUSING AUTHORITY

AGENDA

Date: Monday, May 24th, 2021

Time: 5:00 PM

Location: Via "Zoom"

1. CALL TO ORDER

2. ROLL CALL

Chairperson: Maria Fiedorczyk
Vice-Chairman: Richard Bitondo
Commissioners: William Nannery
Rick Turdo
Keith Keoppel

3. ANNOUNCEMENT OF OPEN MEETINGS ACT

The New Jersey Open Public Meeting Law was enacted to ensure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this Act, the Newton Housing Authority has caused notice of this meeting to be advertised by having the date, time, and place posted on the Newton Housing Authority Website.

In light of the Governor's Issuance of Executive Order 107, we have been strongly encouraged to conduct all public meetings subject to the Open Public Meetings Act exclusively using communications equipment (e.g., telephonic conference call-in connections, internet streaming, etc.) for the foreseeable future without providing a physical meeting place. All members of the public may access the meeting (either video or telephone) via "Zoom."

4. APPROVAL OF THE MINUTES OF THE REGULAR MEETINGS OF APRIL 12, 2021

5. APPROVAL OF THE BILLS - April 2021

6. VISITORS -

7. ADMINISTRATIVE REPORT

Executive Director's Report & Discussion

- a. Transfer Policy (Memo Attached)
- b. Hair Salon (Proposal attached)
- c. Income Recertifications
- d. Vacancies
- e. Part-time employee status

8. NEW BUSINESS

9. RESOLUTIONS

RESOLUTION #2021-7, Approval of Bill List for the month of April 2021

WHEREAS, in the course of administering the operations of the Newton Housing Authority expenses are incurred; and

WHEREAS, it is necessary to pay invoices monthly after being presented to the Board of Commissioners;
NOW THEREFORE

BE IT RESOLVED by the Board of Commissioners of the Newton Housing Authority as follows:

1. That the attached list of bills for April 2021 in the amount of \$56,579.33 be approved for payment.
2. That the proper officers of the Authority be authorized to pay all items on the list of invoices.
3. That this Resolution shall take effect immediately.

RESOLUTION #2021-8, Approval of Executive Director Contract for m12 months

WHEREAS, the Newton Housing Authority (NHA) is has previously entered into a contract with Execu-Tech, Inc to provide Executive Director and other related management functions to the Housing Authority; and

WHEREAS, the NHA desire to extend the contract for 12 months with a 30-day cancellation clause by either party; and

WHEREAS, the same terms and condition stipulated in the original short-term contract shall apply to the contract extension; and

WHEREAS, the contract extension shall expire on May 31st, 2022; NOW THEREFORE

BE IT RESOLVED by the Board of Commissioner of the Housing Authority of the Town of Newton that the contract with Execu-Tech, Inc. shall be extended for 12 months commencing on June 1st, 2021 and expiring on May 31st, 2022.

10. PUBLIC COMMENTS

11. EXECUTIVE SESSION

12. ADJOURNMENT

STATE OF NEW JERSEY
NEWTON HOUSING AUTHORITY
32 Liberty Street
Newton, New Jersey 07960

April 12, 2021

(This is a condensed version of the ZOOM virtual and taped minutes of the Regularly Scheduled Monthly Meeting of the Newton Housing Authority Commencing at 5:00 P.M.)

OPEN PUBLIC MEETINGS ACT

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ROLL CALL:

Present: Chairperson Maria Fiedorczyk
Vice-Chairman Richard Bitondo
Commissioner William Nannery
Commissioner Keith Keoppel
Commissioner Rick Turdo

Also Present: Acting Executive Director William F. Snyder
Deborah Alvarez, Secretary/Transcriber

APPROVAL OF MINUTES OF REGULAR MEETING – MARCH 8, 2021

Commissioner Bitondo noted on Page 7 under “New Business” it reads “Commissioner Nannery (discussion regarding number of Commissioners). It should be **Commissioner Bitondo**. First paragraph should be Commissioner Bitondo **not** Commissioner Nannery.

On same Page 7, no dollar amount listed on Resolution #2021-4. ED Snyder will provide it to Ms. Alvarez. (**Amount supplied by ED Snyder is: \$51,310.34**)

Motion to approve minutes with corrections being made on Page 7 made by Commissioner Keoppel; 2nd by Chairperson Fiedorczyk.

ROLL CALL:	Chairperson Fiedorczyk	Yes
	Commissioner Bitondo	Yes
	Commissioner Nannery	Yes
	Commissioner Keoppel	Yes
	Commissioner Turdo	Abstain

APPROVAL OF BILLS FOR MARCH 2021

Chelbus Cleaning started first day vaccines were done. Commissioner Keoppel said residents are pleased with their work. Commissioner Nannery asked about Selective Insurance; is that paid off for the year? ED Snyder said yes for property liability.

Motion to accept bills for payment for March 2021 made by Commissioner Bitondo; 2nd by Commissioner Nannery.

ROLL CALL:	Chairperson Fiedorczyk	Yes
	Commissioner Bitondo	Yes
	Commissioner Nannery	Yes
	Commissioner Keoppel	Yes
	Commissioner Turdo	Abstain

ADMINISTRATIVE REPORT – Executive Director’s Report & Discussion

EXECUTIVE DIRECTOR’S REPORT & DISCUSSION

Transfer Policy – ED Snyder prepared memo and discussed at March meeting. Transfer Policy has been reviewed; at some point NHA purchased a plan from MaCann Associates. Memo outlines basically what’s in there: emergency transfers; required transfers which are people who are under-housed or over-housed; resident requested transfer (transfers for convenience). Second part of Mr. Snyder’s memo gives Board items they should consider. Transfer policies sound great, but unless there is a real reason to transfer – NHA has studio and 1-bedroom apartments. In senior buildings, people move into a studio but would rather have a 1-bedroom. Many times lists move quicker if you get into a studio, not there long and want a 1-bedroom unit. In some ways, they’re jumping list because 1-bedroom list is longer than studios.

Commissioners should consider that and cost involved. If there are 2 vacancies and 2 people want to transfer, that means 4 apartments have to be turned over – who pays for that – NHA, does person transferring pay for it. Ordinarily, if it's a transfer instituted by NHA, we'd pay for it. For example, if doing capital work in an apartment and someone is forced to move, NHA would pay. But if someone just wants to move because they want to be higher for a better view or from studio to 1-bedroom, they would pay for it. Procedure for that is done in different ways at different places. Some would require another security deposit; when moving out an inspection is done and if in good condition, money is returned. Some just transfer deposit; do inspection ahead of time. It would be how NHA wants to handle that and also person has to be in good standing with Authority, meaning rent is paid up to date, not leaving property because you totally destroyed it and want another one.

In senior buildings, a lot of times there is a medical condition. In all honesty, as ED Snyder is a senior also, it is a lot of nonsense. Many go to doctors and many doctors will write anything as a reason for a basis for transferring. NHA has a transfer policy and no one has instituted transfer policy in years. Generally, there is a separate transfer list, it is prioritized; if it's a NHA instituted transfer, they go to top of the list. If it's a medical transfer, that person goes to top. Just a transfer of convenience or wants a transfer, they're lower down. ED Snyder is not aware of any list at this time. General policy, NHA doesn't do transfers because they're inconvenient.

Chairperson Fiedorczyk said it has come up periodically over the years. Maybe once meetings are back in person meetings, it can be talked about. If it would work out to allow transfers as there are too many unknowns. Commissioner Keoppel asked if there would be a 5-year minimum. ED Snyder answered no minimum now, but yes, Board would have to revise current policy. In some places, it is required that you live in building X-number of years before you can request a transfer. Right now people are not transferring; you have a transfer policy NHA has been following. Commissioner Keoppel added there have been some requests, right? Maybe 1 or 2 already since he became a Board member. Resident was told they weren't here long enough and rejected. Could this be put in on a temporary basis – temporary ruling by Board, so NHA is covered.

Commissioner Bitondo said NHA obliged to follow this policy until, in fact, it is modified. It is first time he's seen it and not sure Commissioners were even aware of its existence. It is possible to have NHA policies posted on website? Mr. Snyder said yes. Chairperson Fiedorczyk asked if NHA should do something with Transfer Policy. ED Snyder answered it's in a much bigger policy – Admission and Continued Occupancy Policy – to find your waiting list, and has everything. In order to change that policy, ordinarily you'd have to notify all residents in writing and a 45-day comment period before Board can change it. ED Snyder agrees with Commissioner Bitondo, it's been an unwritten rule and not been followed – a big endeavor now to go out and start this list. It can be done, and Commissioner Keoppel may be right – we don't do transfers. ED Snyder did not see a time limit, but if you wanted to adopt it, you'd go through notification process. Commissioner Turdo asked if HUD had any regulations on that

that has to be followed. Mr. Snyder said yes, absolutely. Everything in the ACOP is HUD regulations and transfer policy part of ACOP. It's Chapter 12 of ACOP. He is trying to find NHA policies and finally has a computer that's working, but does not see a lot of policies. ACOP he found with help of Joan is in a big book, but very generic, but doesn't know where procurement policy is, is there a personnel policy, a whole host of policies that NHA is supposed to have that he cannot find. Commissioner Bitondo said NHA has a policy service that they use, correct – they provide generic policies, which NHA would then customize. ED Snyder answered yes, on ACOP, but doesn't know if that service is still in place. It doesn't look like it is, because updates would be coming on that service. He will look into that. There are other policies: grievance procedure in place. Grievance procedure is where Authority takes an adverse action against a tenant and there's a process where they can grieve it. He has not seen it. When ED Snyder is here, he's trying to catch up on so many things; he's trying to unload boxes in office so he doesn't suffocate in there. At some point, he will get to going into other rooms where documents may be, to look for these things.

Chairperson Fiedorczyk wondered about binder not being in office with all NHA policies. ED Snyder hasn't found one, doesn't mean it doesn't exist; he hasn't found By-Laws either. Chairperson Fiedorczyk mentioned Carol Lee Anardo (ph.), previous Resident Commissioner, had a binder, but she passed away and it isn't known if it was returned to office or thrown out by her family. ED Snyder will ask Joan on his next visit if there are rooms he can look in. It's great to have a paper policy, but has to go back through old minutes when it was adopted – a major undertaking. Commissioner Keoppel asked if you could make a single statement or time limit without changing the whole thing. ED Snyder answered you have to go through notification process – which is to tell tenants in writing that NHA is changing policy, allow them to comment on it; then weigh those comments and after 45 days, ED Snyder would bring a resolution to Board adopting it. It can be done.

Commissioner Bitondo asked if there was first and second reading or what. Mr. Snyder said its notice to tenants and then change. Commissioner Keoppel noted NHA will have two 1-bedroom apartments plus 2 studios. ED Snyder said 1 studio has been taken; he's meeting with resident Wednesday. Commissioner Bitondo said when meeting goes into Executive Session; they can discuss how to help with some detective work in aiding ED Snyder into existing policies and documents. ED Snyder will eventually get everything together to let Commissioners know what they don't have or what he cannot find. ED Snyder does have policies in Microsoft Word that he can bring to NHA to review and take time to digest, see what may be different from what you've been doing and make those changes with revisions and adopt. Discussion about finding existing policies and most up-to-date set of policies. Is there a professional contractor to come in and find these, as is done for BOE? Mr. Snyder will report as to his findings by next meeting. Commissioner Bitondo asked that NHA status be checked with Nan McKay Service.

ED Snyder said NHA insurance renewed with Selective Insurance. He noted that he didn't see Public Officials Liability or Employee Practices Liability Insurance. Public

Officials Liability Insurance is for Board to protect you in event that you're sued personally, as he's seen happen. There is a quote from existing agent – Public Officials for \$1 Million in coverages -- \$1,458.25 and Employee Practices Liability for \$1 million is \$178.05. It makes sense for Commissioners to get those. Commissioner Bitondo asked isn't that part of NHA policy, as he remembers asking that question about a year or so ago and was told Commissioners did have it. ED Snyder said it came from NHA insurance agent. He said it was not and gave ED Snyder the quote. Commissioner Bitondo deferred to ED Snyder and agent and it needs to be put in place. Mr. Snyder will bind it so Commissioners have it, less than \$2,000 for \$1 million in coverage -- \$1 million in aggregate for everybody. Agent said that's maximum you can get. ED Snyder suggested Commissioners get a quote from Public Housing Authority Joint Insurance Fund (JIF) because it has been significantly less than private carriers.

Existing agent can stay on and become Risk Manager, still gets paid a fee for doing that. In instances where an insurance company, and has given people hard times when there's been losses, that Board is made up of fellow housing authorities and ED Snyder has never seen an insurance do. For example, there was a flood from a fire and tenants were complaining they lost personal property. JIF went in and provided money to housing authorities to replace things for tenants. Private insurance companies don't do that; tell you you need insurance yourself to get that done. He is familiar with it, as he did accounting for them years ago. Coverage is a lot better and more comprehensive. Commissioner Bitondo asked if NHA would have to wait until next year. ED Snyder said yes, he was not aware until insurance came up since he's been at NHA – here's renewal quote and time limits. He requested JIF contact him around August/September and come do an analysis and provide Board with a quote. Agent can get his quote and Board can compare. Commissioner Bitondo asked if NHA is missing anything else in comprehensive coverage. Mr. Snyder answered no, but will look at property insurance, etc. to see what NHA has. It does look fine at this point. Mr. Snyder said agent seems very nice and he can come in as Risk Manager and if there was a problem, you would deal with him. JIF really does protect housing authorities and except for last 2 years because there was significant property losses, JIF was paying a dividend every single year.

Commissioner Keoppel asked if it couldn't be added at this time. ED Snyder answered Employee Practices and Public Official Liability to existing policy. Next year NHA will get another quote from JIF and compare it; sit down with NHA agent and can decide what's in best interest of NHA. Commissioner Bitondo asked if JIF do an audit of existing coverages as well. Mr. Snyder said yes; in the quote they'll compare it to what you have and what they're offering.

Allocation of Capital Fund

NHA got allocation of capital fund for the year - \$110,388 – he will commence with preparing annual statement, annual plan, etc. that have to be submitted online to system called EPIC, which he will do. Problem is Mr. Snyder still has no access to HUD online systems and is working on it. HUD people are in and out of office. Right now ED Snyder can call Phillipsburg and Tom McGuire can draw down money for NHA. He is

working on that, but a nuisance in trying to deal with HUD and getting yourself enrolled in these programs.

(Sound was distorted and garbled at this point. Subject matter not understood.)

Tracy Goldstein looked at proposal and it's not a conflict of interest, but it is the appearance of a conflict of interest and would not do it. ED Snyder brought it to all of you. ED Snyder suggests that NHA go back out; Bill will be working with somebody else or there may be other people interested in doing this. Second, it's going to be interesting to see what happens with Biden Administration because what now constitutes infrastructure – Congresswoman Maxine Waters (big staunch supporter of public housing) is proposing a \$70 billion capital fund infusion as infrastructure. Entire HUD budget isn't even \$70 billion, which amounts to 50-\$75,000 per unit for every public housing unit in U.S. ED Snyder has his finger on that. In the meantime, he suggests NHA re-advertise and try and bring more people in and maybe the price down on streamline conversion.

Commissioner Bitondo thought it was already approved with condition that NHA wanted attorney to weigh in. ED Snyder said yes. He understands what she's saying and has taught for many years and wrote curriculum for Ethics Course for Rutgers and always says from the appearance of a conflict of interest – can be a natural conflict of interest. If public's perception is that we're engaging in some type of a conflict, it is a conflict. ED Snyder suggested NHA re-advertise and keep up with Administration on capital fund program.

Hair Salon

ED Snyder got proposals and advertised for hair salon; 1 person expressed an interest; submitted her proposal; rent based upon \$200. She had all necessary insurances in place, not yet because she doesn't want to bind them until NHA signs a contract with her, but had commitments from companies for liability and all necessary insurance. Mr. Snyder discussed with Joan in the office; her price list was close to what last hairdresser was charging. She initially told him she'd pay more rent if she could bring customers in from outside. It is off the table and strictly for residents here that she will deal with; no one from outside coming in.

Commissioner Keoppel understood that prior hairdresser was bringing people in. He didn't know that if that was legal, but learned from some residents that indeed there were others coming in. ED Snyder said NHA would have to let insurance know we are doing this; if someone from outside sued the Authority, it would be a problem. Chairperson Fiedorczyk didn't know outsiders were coming in; and won't be happening with new operator. Resolution will be considered separately approving hair salon.

Custodial Services

ED Snyder called around. Chelbus, company doing cleaning in building, are doing a pretty good job. Woman comes in and spends quite a bit of time. Day of vaccine shots, she cleaned Community Room. He noticed an improvement in the floor, and tenants

were concerned about that. Building being cleaned now. Commissioner Keoppel added when you see woman working here, singing, it rubs off on the residents. Commissioner Turdo said Chelbus is a good company and stands behind their work. Mr. Snyder told Chelbus that at least twice a year the carpets should be shampooed.

Covid Shots

Mr. Snyder got County of Sussex to come in and do vaccines in the building; total was about 80 people, most were residents but some from outside. Residents were pleased it was Johnson & Johnson one-time shot. It went well. Some residents asked Mr. Snyder about loosening restrictions in terms of using Community Room now that they've been vaccinated. It is up to Commissioners, but they'd like to open it up a little bit. Chairperson Fiedorczyk asked if Mr. Snyder knows if everyone in building has been vaccinated. He doesn't know, but there were at least 50 from here. Numerous people on the list didn't take the vaccine because they'd previously been vaccinated. Chairperson Fiedorczyk is concerned as to how do you know who's been vaccinated. Commissioner Turdo said ones vaccinated should have a card, but Chairperson Fiedorczyk didn't think they'd like to show card every time they go down to Community Room. Commissioner Turdo said just keep a list of names of people vaccinated, but someone would have to monitor that – probably Joan. ED Snyder suggested pushing it off month by month, but is something to consider going forward. Governor Murphy will probably start loosening up more and more as months go on. Chairperson Fiedorczyk shared about her mom, who lives in Bentley and they lifted a lot of restrictions there on visitation. If you're vaccinated, you just show your card and go in and don't have to be Covid tested any more, visit is 45 minutes at a time, go every day if you want, whereas before you were not even allowed in at all. Perhaps Board of Health would have some recommendations that NHA could follow. Commissioner Keoppel said there is some gathering now, and has been going on for some time. I'd like to see a little more loosening; picnics and outdoor cooking that would help gather people and not confine them to the building. Commissioners Turdo and Bitondo also agreed with Commissioner Keoppel; take some preliminary steps and revisit at May's meeting. Commissioner Bitondo said loosen up for outside gatherings in terms of limited occupancy in Community Room as long as protocol still followed with masks and social distancing. NHA should certainly consider that. It seems like 75% of NHA residents are already vaccinated. Commissioner Keoppel thinks number is higher as some went elsewhere for vaccinations.

Chairperson Fiedorczyk added tenants have been cooperative and good and deserve reward or loosening of restrictions outside of building. ED Snyder will speak with Board of Health; take a look at CDC requirements and come up with a schedule perhaps as things keep going. As a look-forward to reward – he'd speak with Joan and maybe sponsor some type of picnic on a certain date. Commissioner Keoppel and Joan spoke about it today. A local church came in for last 2-3 years that did actual cooking. Chairperson Fiedorczyk said she and her husband did grilling at NHA and are thinking of doing something for 4th of July, whether church comes in and cooks and NHA provide everything else. She'll check into local rental place for a grill for the day.

Commissioner Keoppel asked if anyone had come in through side entrance or noticed all the flowers that were planted over the last week by the Ukrainian couple. They pay for them out of their own pockets. People are smiling and enjoying the flowers; Commissioner Keoppel will get more flowers also. ED Snyder said if that's the case, NHA should reimburse them for the cost, to tell them to see Mr. Snyder on a Wednesday and bring their receipts.

NEW BUSINESS

Commissioner Keoppel spoke with Joan and many are asking when will residents see announcement on air-conditioning and is it time that heat is turned off. Commissioner Turdo asked if it was April 15th or before that. Discussion about temperature in building, 5th floor quite warm. Commissioner Bitondo looking at April temperatures and through April 26th temps will be 50s to low/mid-60s. Mr. Snyder will look at it on Wednesday; speak with Joan and see when it is traditionally turned off. Chairperson Fiedorczyk asked if air-conditioners go in May 1st. Commissioner Keoppel said notices go out within next week or 10 days. Not everyone puts them in at the same time; they're given a choice of when they want it installed. Change in policy last year; discount was greater if you paid whole thing for 4-5 months.

ED Snyder discovered when doing research that NHA is charging extra \$10-15/month on people's rents, which is odd as it's not listed and information transmitted to HUD. He will go back, research and notify people you cannot charge people additional amounts of money for electricity or utilities. He doesn't know why it was ever done in the past, but it has to be stopped. Rent includes utilities – a HUD requirement. Where does it end? Charging for parking spaces? You're not allowed to it. Commissioner Turdo asked if you have 2 a/c's you only have to pay for one? Mr. Snyder said that's different, it's called an excess utility charge. You can charge people for air-conditioners; some family units have washers/dryers. It's for additional cost because you have additional appliances. It's Phillipsburg policy, so it's fine. Commissioner Turdo asked if NHA has staff to put a/c's in or do people do it themselves? Mr. Snyder will look at that also and yes, NHA has staff, but he has to figure out how it will get done. Tenants cannot be expected to put them in; he'll speak with Joan to see how it's been done in the past.

Commissioner Nannery told ED Snyder that he receives texts when alarm goes off or in trouble. Someone from Phillipsburg is still receiving text messages also; you should be on list to receive notification when there's a problem. Commissioner Nannery said phone number is above copier in office, next to box with all the controls for alarm system. It is the fire alarm.

Commissioner Bitondo asked if NHA still has a web master, and can it be brought up to date; there are a lot of references to Phillipsburg, reference to a December special meeting. Recent agendas are on, but minutes are missing from last year. Paul is still listed as Executive Director. Web site needs an overhaul/update ED Snyder said

company is Mastech and he will look at it. All commissioners' names are up-to-date, Commissioner Bitondo said.

RESOLUTION #2021-6 – APPROVAL OF LEASE FOR HAIR SALON

WHEREAS, the Newton housing Authority (NHA) has space to provide a hair salon on the first floor of Liberty Towers, which they would like to lease for the benefit of the building residents; and

WHEREAS, the NHA has issued a Request for Proposals (RFP) to lease said space, which were due to the NHA on 3/29/21; and

WHEREAS, the NHA received one proposal in response to its duly published RFP, which has been reviewed by the Executive Director and found to be in conformance with the RFP; NOW THEREFORE

BE IT RESOLVED by the Board of Commissioners of the Newton Housing Authority that a lease for renting the Newton Housing Authority nail salon be hereby awarded to Kimberly Pomasan & Darlene Enman in the amount of \$200.00 per month; and

BE IT FURTHER RESOLVED that the Resolution shall take effect immediately and the Executive Director is authorized to execute all necessary documents to effectuate this transaction.

Motion to approve Resolution #2021-6 made by Commissioner Bitondo; 2nd by Commissioner Turdo.

(There were no comments from the Commissioners regarding this Resolution, except that Chairperson Fiedorczyk said it would be pending ED Snyder gets copies of their insurance certificates.)

ROLL CALL:	Chairperson Fiedorczyk	Yes
	Commissioner Bitondo	Yes
	Commissioner Nannery	Yes
	Commissioner Keoppel	Yes
	Commissioner Turdo	Yes

MISCELLANEOUS

Discussion about going into Executive Session regarding one outstanding item. ED Snyder said offer was made and denied; not necessary to go into Executive Session. ED Snyder and Chairperson Fiedorczyk discussed it, said if person changed their mind, they would go back and reoffer.

NEW BUSINESS – Part 2

Commissioner Bitondo asked if position for part-time office clerical assistant could be created; someone to aid in office; a presence other than stipend person there now; ED Snyder creates job description including jobs and tasks that can be assigned to look through files, checking old minutes. Chairperson Fiedorczyk added there is many boxes to go through, filing, purging. ED Snyder: Joan and Jenny work in morning; he'd put something together for afternoon, perhaps 1-4. Discussion about ED Snyder's need for clerical help. Have someone in office in afternoon; hopefully, 1-4 four or five days a week. ED Snyder getting paid a nice amount to do clerical work. Tenants do come into office in afternoon. Assistant could take messages, if unable to answer their question, pass it to ED Snyder when he's at NHA. Chairperson Fiedorczyk knows a few people that might be interested; 12-4 – 20 hours a week to start. Minimum wage is \$15, but depends on NHA budget and what is affordable. Would it be Monday-Thursday, no Friday or change it a bit and person go in on Friday mornings or a full day for them. With interruptions, it isn't steady 4 hours of work.

ED Snyder should do job description. ED Snyder said he'd check with NHA accountant to see how NHA is doing financially. Question was does Executech have a payroll. Mr. Snyder said yes, payment would be depending on how NHA wanted to handle it. With just one employee, there is still Workmen's Comp, insurance, etc. Chairperson Fiedorczyk added NHA tied into Division of Pensions; then they'd have to be enrolled into DCRP and becomes a lot of work. If hired by NHA, then do a 1099, but were hired through Executech, she'd put them on payroll. On a permanent basis every week, it has to be on payroll.

Commissioner Bitondo asked if they'd be on Executech payroll, Mr. Snyder said yes. ED Snyder will put something together for May's meeting. Mr. Snyder will use Administrative Assistant title.

Commissioner Turdo asked if NHA meeting is second Monday of every month; will telephone number and zoom number be the same every month. Chairperson Fiedorczyk said no, it changes every meeting. Commissioner Bitondo thanked Commissioner Turdo for staying as a Commissioner. Commissioner Turdo asked how many more Commissioners are still needed. Someone from Phillipsburg just resigned and would be interested; her husband is a Judge and lives 3 blocks from Commissioner Turdo. If she got on NHA Board they could come together when there are in-person meetings. Commissioner Bitondo said if she's interested there is an application on Newton Town Web Site for volunteers, have her file an application. Only other requirement would be an interview by Town Council. Would her training carry over from one agency to another? ED Snyder answered yes. Commissioner Turdo said woman's name is Ann Batista.

ADJOURNMENT

Motion to adjourn meeting made by Commissioner Turdo; 2nd by Commissioner Keoppel.

VOTE: AYES/All Present Commissioners (5)

Respectfully submitted, Deborah L. Alvarez – Secretary/Transcriber

Newton Housing Authority
Vendor Accounting Cash Payment/Receipt Register
Public Housing

Filter Criteria Includes: 1) Project: Liberty Towers, 2) Payment Date: 5/1/2021 to 5/31/2021, 3) Financial Period: All, 4) Payments Over: All, 5) Check Numbers: All, 6) Cleared Period: All, 7) Check Status: All, 8) Payment Status: All, 9) Show Payments: Yes, 10) Show Deposits: Yes, 11) Order By: Payment/Receipt Number

Bank: Lakeland Bank, Bank Account: 190187, GL Account: 1111.01

Posted Payments

<i>Doc Num</i>	<i>Payment Date</i>	<i>Voided</i>	<i>Type</i>	<i>Document Recipient</i>	<i>Document Description</i>	<i>Cleared</i>	<i>Amount</i>
12369	05/06/2021	No	CHK	Newton Water & Sewer	Newton Water & Sewer - March 202	No	\$5,198.00
12370	05/06/2021	No	CHK	Execu-Tech	Executech April 2021 - Building Serv	No	\$18,577.76
12371	05/06/2021	No	CHK	Orange County Paving	Orange County Paving - April 2021	No	\$2,000.00
12372	05/06/2021	No	CHK	Century Link	Century Link - April 2021 Telephone/l	No	\$172.31
12373	05/06/2021	No	CHK	TGM Services	TGM - April 2021 Various Plumbing	No	\$4,087.19
12374	05/06/2021	No	CHK	Waste Management	WM - April 2021 #16-63819-72000	No	\$922.44
12375	05/06/2021	No	CHK	Waste Management	WM - April 2021 #10-95590-03005	No	\$1,340.02
12376	05/06/2021	No	CHK	Elizabethtown Gas	Elizabethtown - April 2021 #793867	No	\$4,381.03
12377	05/06/2021	No	CHK	JCP&L	JCP&L - April 2021 Electric Service	No	\$7,506.89
12378	05/06/2021	No	CHK	Public Housing Authorities Directo	PHADA - Annual Membership 2021	No	\$175.00
12379	05/06/2021	No	CHK	Home Depot Credit Services	Home Depot - April 2021 Misc Mater	No	\$154.15
12380	05/06/2021	No	CHK	Chelbus Cleaning Company, Inc.	Chelbus Cleaning - April 2021 Carpe	No	\$570.00
12381	05/06/2021	No	CHK	Chelbus Cleaning Company, Inc.	Chelbus Cleaning - April 2021 #897	No	\$1,995.00
12382	05/06/2021	No	CHK	Standard Elevator Company	Standard Elevator - April 2021 #115	No	\$1,564.00
12383	05/06/2021	No	CHK	Selective Insurance	Selective Insurance - April 2021 Insu	No	\$3,737.00
12384	05/06/2021	No	CHK	ABCCode Security Inc.	Abcode Security - Fire Service Repa	No	\$140.00
12385	05/06/2021	No	CHK	Management Computer Services	Management Computer Services -	No	\$233.00
12386	05/06/2021	No	CHK	Freinstein Raiss Kelin Booker & G	Freinstein Raiss Kelin & Goldstein -	No	\$252.00
12387	05/06/2021	No	CHK	PenTeleData	PenTeleData - April 2021 Cable Mo	No	\$305.27
12388	05/06/2021	No	CHK	Ace Walco	Ace Walco - April 2021 #891901	No	\$125.00
12389	05/06/2021	No	CHK	Ace Walco	Ace Walco - April 2021 #891902	No	\$195.00
12390	05/06/2021	No	CHK	Mazteck, Inc	Mazteck IT - April 2021 #10922	No	\$309.50
12391	05/06/2021	No	CHK	Unified Vox	UnifiedVox - April 2021 #UV897964	No	\$93.46
12392	05/06/2021	No	CHK	Culligan Tri County Water	Culligan - April 2021 Salt Delivery #5	No	\$121.99
12393	05/06/2021	No	CHK	Roto-Rooter - Sussex/Warren Co	53874053, 62991364, 63422722, 63	No	\$2,023.32
12394	05/06/2021	No	CHK	Jennie Switzer	Jennie Switzer - April 2021 Stipend	No	\$200.00
12395	05/06/2021	No	CHK	Joan Casterlin	Joan Casterline - April 2021 Stipend	No	\$200.00
Cleared: 0							\$0.00
Uncleared: 27							\$56,579.33
Total Payments: 27							\$56,579.33

Project Summary

Bank: Lakeland Bank, Bank Account: 190187, GL Account: 1111.01

<i>Program - Project</i>	<i>Payments</i>	<i>Deposits</i>
Public Housing - Liberty Towers	\$56,579.33	\$0.00
Total:	\$56,579.33	\$0.00

Type Summary

Bank: Lakeland Bank, Bank Account: 190187, GL Account: 1111.01

<i>Document Type</i>	<i>Count</i>	<i>Amount</i>
Check (CHK)	27	\$56,579.33
Total:	27	\$56,579.33

End of Report

**AGREEMENT BY AND BETWEEN THE NEWTON HOUSING AUTHORITY AND
EXECU-TECH, INC. FOR THE PROVISION OF PART-TIME EXECUTIVE
DIRECTOR SERVICES**

THIS AGREEMENT is made on this 1st day of January, 2021, by and between the **NEWTON HOUSING AUTHORITY** (“NHA”), an agency and instrumentality of Newton, New Jersey, and **EXECU-TECH, INC.**, with offices located at 20 Marin Lane, Manahawkin, NJ 08050 (“Execu-Tech”) (collectively, the “Parties”).

WHEREAS, the NHA is organized and exists under and pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, a local public housing authority shall appoint and may enter into a contract to employ an Executive Director as the authority may determine necessary for the efficient operation of the housing authority pursuant to N.J.S.A. 40A:12A-18; and

WHEREAS, the principals of Execu-Tech and/or its qualified employee are prequalified by the New Jersey Department of Community Affairs (“DCA”) to serve as Executive Director of the NHA and possess the necessary Executive Director qualifications and credentials pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and the Local Housing Authority Regulations, N.J.A.C. 5:44-1.1 et seq.; and

WHEREAS, the NHA has determined that Execu-Tech is qualified to continue providing the RBHA with part-time Executive Director services on an interim basis; and

WHEREAS, at a public meeting of the NHA held on December 30, 2020, by Resolution, the Board of Commissioners of the NHA awarded a contract to Execu-Tech to provide part-time Executive Director services under fair and open process in accordance with the “New Jersey Local Unit Pay-to-Play” Law pursuant to N.J.S.A. 19:44A-20.4 et seq.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants hereinafter set forth and for other good and valuable consideration, the Parties adopt the introductory clauses as true and hereby agree as follows:

1. INCORPORATION OF RECITALS. The recitals set forth above are hereby incorporated into this Agreement as if set forth at length herein.

2. SCOPE OF SERVICES. The NHA is the manager of 80 units of public housing (Liberty Towers). As Executive Director, Execu-Tech shall be required to direct and coordinate the operations of the NHA in accordance with all applicable federal, State and local laws, rules and regulations. Execu-Tech shall act as advisor to the NHA in order to assist in ensuring that the essential duties and responsibilities of the NHA are fulfilled. Those duties and responsibilities shall be limited to the following with respect to the NHA:

- 1) Direct staff in their daily operations and respond to all questions on

- management/maintenance issues.
- 2) Handle all procurement issues, including Request for Proposals (RFPs).
 - 3) Ensure recertifications and interims are prepared and completed per United States Department of Housing and Urban Development guidelines.
 - 4) Ensure that the HUD Annual and Five-year plans are submitted.
 - 5) Prepare monthly meeting agendas and related documents for distribution to the Board of Commissioners.
 - 6) Assistance and advice in developing routine and preventative maintenance plans.
 - 7) Recommend policy changes where applicable.
 - 8) Must be available to staff for any issues that arises during normal business hours.
 - 9) Ensure compliance with all applicable State and Federal laws and regulations.
 - 10) Assist with a search for a permanent Executive Director per applicable requirements and Board of Commissioners action.
 - 11) Check on the status of current programs to ensure minimum benchmarks are being achieved (i.e., rent collections, work- orders, unit turnovers, etc.). Make recommendations, where applicable, to improve programmatic efficiency.
 - 12) Assist and work with the consultant retained to undertake a “Voluntary Streamlined Conversion” of the public housing stock as directed by the Board of Commissioners.
 - 13) Perform on a timely basis all required inspections throughout the year.
 - 14) Other items as directed by the Board of Commissioners.

3. **COST.** Execu-Tech shall provide the services specified in this agreement. NHA agrees to pay Execu-Tech for its services in accordance with Exhibit A to this agreement. Additional services shall only be undertaken with the approval of the Board of Commissioners.

NHA shall be invoiced by Execu-Tech for its services on a monthly basis. Such invoices shall be paid within 30 days of receipt by the NHA. If Execu-Tech believes that the cost of Executive Director services under this Agreement is going to exceed the management fee, Execu-Tech shall provide notice to NHA and an estimate of the amount by which its services are going to exceed such amount. NHA shall then consider whether to authorize an increase in the management fee or terminate this Agreement in accordance with its terms.

4. **TIME OF PERFORMANCE.** It is understood and agreed by and between the Parties that this Agreement shall be on a month-to-month basis for a term not-to-exceed twelve (12) months, commencing on January 1st, 2021. This term may be renewed or extended only by written agreement of the Parties.

5. **INDEPENDENT CONTRACTOR.** Execu-Tech shall be deemed to be an independent contractor and shall not be deemed to be an employee of the NHA for any purpose whatsoever.

6. **EDUCATION AND EXPERIENCE.** Execu-Tech shall provide a qualified

individual to serve as the named Executive Director and perform the services set forth in this Agreement. The selected individual shall meet or exceed the education and experience requirements set forth in the Local Redevelopment and Housing Law, specifically N.J.S.A. 40A:12A-18.

7. **TERMINATION**. This Agreement may be terminated as follows:

- a) Without cause, by the NHA upon thirty (30) days written notice to Execu-Tech, Inc.
- b) By Execu-Tech, if the NHA is in default under this agreement by more than ten (10) days including, but not limited to, payment of invoices for services pursuant to Section 3 of this Agreement.

8. **RECORDS**. Execu-Tech shall maintain a comprehensive system of records, books and accounts in a satisfactory manner to the NHA. All documents, papers and records of Execu-Tech which relate to the operation of the RBHA shall be available for examination at reasonable hours. Execu-Tech shall provide the NHA records for filing and recordkeeping purposes on a monthly basis.

9. **INSURANCE**. Execu-Tech shall supply to the NHA proof of insurance coverage in the minimum amounts of liability as follows:

- a) Comprehensive General Liability Insurance shall provide a combined single limit of not less than \$1,000,000 per occurrence for bodily injury and property damage.
- b) Comprehensive Automobile Liability Insurance shall provide coverage for claims arising from owned, hired or non-owned vehicles with a combined single limit of not less than \$1,000,000 per occurrence for bodily injury and property damage.
- c) Worker's Compensation and Employer's Liability Insurance shall cover all employees of Execu-Tech engaged in performance of this Agreement in accordance with applicable law.

10. **INDEMNIFICATION**. Execu-Tech hereby indemnifies and holds the NHA, its commissioners, employees, servants, agents and professionals, harmless from and against any and all claims, damages, suits, losses, costs or expenses, including, but not limited to attorneys fees, which may be sustained or incurred by RBHA by reason of any claim, demand, suit or recovery caused or occasioned by the negligent or intentional conduct of Execu-Tech, its principals and its employees, in the performance of this Agreement. Except that the NHA will indemnify and defend Execu-Tech, its principals and its employees from and against any claims relating solely to the operations of the NHA, and not the negligent or intentional conduct of Execu-Tech, its principals and its employees. Examples include claims of wrongful termination by former employees of the NHA, claims involving past actions of the NHA prior to the date of this Agreement, and personal injury claims by individuals injured on NHA property, where the

injury does not result from the negligent or intentional conduct of Execu-Tech, its principals and its employees.

11. CONTROLLING LAW. All controversies, disputes or questions concerning the construction, validity and interpretation of this Agreement shall be governed by and construed in accordance with the domestic laws of the State of New Jersey, without giving effect to any choice of law or conflict of law provision or rule (whether of the State of New Jersey or any jurisdiction) that would cause the application of the laws of any jurisdiction other than the State of New Jersey. The Parties consent to the filing of an action in, and hereby submit to the jurisdiction of, the State courts located in the State of New Jersey, County of Sussex, and further agree that such Courts shall be exclusive courts of jurisdiction and venue for any litigation arising under this agreement.

12. SEVERABILITY. In the event that any one or more of the terms and conditions contained in this Agreement shall be deemed invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining terms and conditions contained herein shall not in any way be affected or impaired thereby.

13. NOTICES AND APPROVALS. Where notice to a party or approval of a party is required under the terms of this Agreement, such notice shall be given to and such approval shall be obtained from the following representatives of each party:

- a) Newton Housing Authority
32 Liberty Street
Newton, New Jersey 07860

- b) Execu-Tech, Inc.
William F. Snyder
Execu-Tech Inc.
20 Marin Lane
Manahawkin, New Jersey 08050

14. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the Parties and supersedes all prior and contemporaneous agreements, understanding, negotiations and discussions, either oral or executed in writing by the parties to be bound thereby. Any oral representations or modifications concerning this Agreement shall be of no force and effect, excepting a subsequent modification in writing, signed by both parties.

15. ASSIGNMENT. No assignment of this Agreement may be made by either party except by mutual written consent signed by the Parties.

16. POLITICAL CONTRIBUTION DISCLOSURE. This contract has been awarded to Execu-Tech based on the merits and abilities of Execu-Tech to provide the part-time Executive Director services, as described in the Agreement. This contract was awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq.

IN WITNESS HEREOF, the undersigned have caused this Agreement to be executed by the day and year first written above.

WITNESS:

**EXECU-TECH,
INC.**

By: _____
William F. Snyder, Principal

WITNESS:

**NEWTON
HOUSING AUTHORITY**

By: _____
Maria Fiedorczyk, Chairperson

Exhibit A
Detailed Cost Estimate
12 Month Period (1/1/21-12/31/21)
Newton Housing Authority
(NHA)

1) Interim Executive Director Services (William F. Snyder)			
Includes items 1 thru 14 from RFP			
Hourly Rate:	\$150.00		
Estimated Weekly Hours (On/off site)	9		
Total Monthly Cost		\$5,850.00	
Total Annual Cost			\$70,200.00
2) Bookkeeping			
Total Monthly Cost		\$1,000.00	
Total Annual Cost			\$12,000.00
3) Inspections			
Unit Cost:	\$40.00		
Number of units	80		
Total Monthly Cost		\$267.00	
Total Annual Cost			\$3,200.00
4) Cost of Maintenance (work-orders/emergencies)			
Hourly Rate	\$45.00		
Estimated Weekly Hours	10		
Total Monthly Cost		\$1,950.00	
Total Annual Cost			\$23,400.00
Unit Turnovers (at actual Cost)			
On-Call Service	\$200.00 per week		
5) Resident Initial & annual income recertification			
Hourly Rate	\$50.00		
Estimated # of certifications monthly	10		
Estimated Hours per recert	2		
Total Monthly Cost		\$1,000.00	
Total Annual Cost			\$12,000.00
Contractual Costs-to be reimbursed for actual cost			
Landscaping (Estimated monthly)		\$333.00	
Landscaping (Estimated annual)			\$4,000.00
Snow Removal (Estimated monthly)		\$833.00	
Snow Removal (Estimated annual)			\$10,000.00
Other Contracts (all others to be paid directly by NHA)			
Accounting & Auditing (Paid by NHA)			
2 Existing Stipend Residents to remain (Paid directly by NHA)			
Other Services outside RFP (to be paid based upon the hourly rates or contract costs)			
Estimated Overhead (10%)			
Monthly		\$1,123.00	
Annually			\$13,476.00

Total Estimated Monthly Contract	\$12,356.00.	
Total Estimated Annual Contract		\$148,276.00

NOTES:

- 1) These services will be billed on an hourly basis. However, the minimum monthly payment shall be a minimum of \$1,000.00 weekly or \$52,000.00 annually if the estimated hours are not achieved. There will be no additional charges for the hours exceeding the weekly estimate.
- 2) The maintenance services will be billed on an hourly basis. Reimbursement will be based upon the actual hours worked.
- 3) The certifications will be billed on an hourly basis (plus 10% overhead), per recert. Reimbursement will be based upon the actual number of recerts.
- 4) Contractual costs shall be reimbursed based upon the actual cost. Actual contracts shall be in the name of NHA not Execu-Tech. This includes both landscaping and snow removal.
- 5) While we can initially provide maintenance contract work, this should ultimately be unwound from this contract and bid separately to comply with the New Jersey Local Public Contracts Law. Once this occurs, these expenses would be removed from this contract and paid directly by NHA.
- 6) 10% Overhead is added to all labor related costs.

HOUSING AUTHORITY OF THE TOWN OF NEWTON

32 Liberty Street
Newton, New Jersey
07860

ANNUAL MEETING NOTICE

In accordance with the provisions of Chapter 231, Public Laws 1975, Annual Notice of the schedule of the regular meetings of the Housing Authority of the Town of Newton, County of Sussex, State of New Jersey for the year 2021 is hereby provided.

Meeting will be held via "Zoom" until the Housing Authority can safely conduct public meetings in the Community Room at 32 Liberty Street, Newton, NJ. Meeting links and agendas may be found at newtonhousingauthority.com

<u>Date</u>	<u>Time</u>	<u>Date</u>	<u>Time</u>
February 8 th , 2021	5 PM	August 9 th , 2021	5 PM
March 8 th , 2021	5 PM	September 13, 2021	5 PM
April 12 th , 2021	5 PM	October 18 th , 2021	5 PM
May 24 th , 2021	5 PM	November 8 th , 2021	5 PM
June 14 th . 2021	5 PM	December 13 th , 2021	5 PM
No July Meeting			

Date: 5/12/2021

WILLIAM F. SNYDER
Interim Executive Director

Instructions: Publish in the NJ Herald & Star Ledger.

Post on the Official Bulletin Board in the Town of Newton, NJ.