

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

October 9, 2024

(Condensed taped minutes of Special Meeting of
Newton Housing Authority - Commencing at 5:18 P.M.)

ROLL CALL:

Present: Chairman Richard Bitondo
Commissioner Mary Ann Carlson
Commissioner Mark Fiedorczyk
Commissioner Joseph Ricciardo
Commissioner Wendy Vandermaas

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

Excused: Commissioner Karen Crossley

FLAG SALUTE

OPEN PUBLIC MEETINGS ACT

Adequate notice of this meeting has been provided by the filing of a Special Meeting Notice with the Municipal Clerk, posting on the official bulletin board and delivery of same to New Jersey Herald & Star Ledger on December 26, 2023. The New Jersey Open Public Meetings 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 interest 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.

Members of the public are welcome and encouraged by the Newton Housing Authority to comment during the public comment portions of the meeting. There will be one public comment section of the meeting. Residents can address the Board of Commissioners on Agenda items during the Public Comments Agenda item portion of the meeting. All questions and comments from the public will be directed to the Chairperson and when addressing the Board of Commissioners, please provide your name and address. All members of the public should be cognizant of the rights and feelings of any individual they feel compelled to discuss at an Open Public Meeting. General comments and statements should be made in a calm and civil manner.

Chairman Bitondo asked for approval of Resolution #2024-25 – Change Order #1 – Roof Replacement.

Motion to approve Resolution #2024-25 made by Commissioner Fiedorczyk; 2nd by Commissioner Vandermaas.

Commissioner Ricciardo: It is my opinion in regards to Change Order #1/Resolution #2024-25 – based on his experience, when contractor bid this project he knew air handler had to be raised for his convenience to roof underneath it. I was told he ordered the rails, people all in line to do that before we even approved the Change Order. He knew that work had to be done in order for him to properly install roof and flash the curb; it should have been part of his original bid – in my opinion.

Chairman Bitondo: It first came to our attention at a construction meeting where architect, builder, Ed, Joe and I were there. The architect did not have a problem with it.

Commissioner Ricciardo: There's nothing on the drawings that indicate that unit had to be raised – no details of the curbs, nothing.

Chairman Bitondo: Is it the responsibility of architect to **not specify** the need for that or is it responsibility of contractor in not responsibly bidding? Commissioner Ricciardo: Part of both.

ED Snyder: From what I derived from today, it probably could have been done the way it was designed. What they were saying is it's a better job because they roofed underneath the unit as opposed to going around it. Whether it's true or not, today roofer said that he had noticed around the curbing that was there, a lot of insulation was wet. Many leaks we were getting in different areas were as a result of that. True, not true – but I think at end of the day, architect – even though it wasn't designed that way – we thought it a better job by doing it. Now you can look right under unit and see roof and all.

Commissioner Ricciardo: He went from an 8" curb to an 18" curb. Of course, it's a better job and easier for him to roof that. If you wanted to roof it properly, he would have handled that unit anyway. It should have all been included in his initial bid, I believe.

Commissioner Carlson: Is this something that he thought of afterwards? If he went around it, would the job have been as good, that's my theory on that.

Commissioner Ricciardo: In my opinion, his man told me they were going to crawl under that 6" space and roof it; that would have been impossible. Yes, it's a better job the way he did it.

Commissioner Carlson: We have more of a guarantee, because it's done properly.

Commissioner Ricciardo: What was it doing today? Wobbly?

ED Snyder: No, that was the unit itself; something was vibrating, a screw loose or something – nothing to do with the work they did. The unit itself, sounds like the fan.

Commissioner Ricciardo: I asked for details at the meeting; we never got them. I would have recommended struts go between 2 curbs, so that it doesn't move at all. Going from 6" to 18" – that unit vibrates anyway. I would have asked for struts to go from one curb to other curb periodically to keep it from vibrating. We never got what we asked from either him or architect until today. Still have no details of what he did.

Chairman Bitondo: ED Snyder, if there's a "no vote", what happens? ED Snyder: Well, if no vote, the work's been done. Commissioner Ricciardo: I don't disagree with amount of work he did. I disagree with Change Order. Chairman Bitondo: If significant number of people that disagree with you and say "no". What recourse does contractor have? ED Snyder: He would come after us, I would suspect, because he was directed to do it. Commissioner Ricciardo: May have been directed to do it, but we specifically asked for shop drawings, a review by architect of details and something from architect approving details. We never got them. Resolution 2024-25 can be easily adjusted by holding off on approving Change Order and just paying him what he's looking for. We still have substantial money left. ED Snyder: That would be the other requisition; there are 2 different requisitions. That's just for Change Order. Other one is for payment.

Commissioner Fiedorczyk: I don't want to dismiss what Commissioner Ricciardo is saying; I just don't have the expertise to make a decision. ED Snyder, are you comfortable with it? ED Snyder: I'm comfortable. I saw the work, it's done. Did work have to be done? Probably not, but I do agree with architect after looking at it, it's a better job. No question about it, but it's an \$18,500 job. Commissioner Ricciardo: It should have been brought up when he bid it. Change Order should have been presented when he bid it saying that this was necessary. Chairman Bitondo: You can also say architect should have been astute enough to incorporate it into the specs. Who bears the responsibility? The work is done. If there's no further discussion, we'll see what kind of vote comes forth and take it from there. Commissioner Fiedorczyk: Change Order is different motion from the first payment. Chairman Bitondo: Yes, two totally different, separate resolutions. Commissioner Fiedorczyk: I was at meeting this morning with architect and roofing man as was ED Snyder and I also was a little concerned that in meeting minutes he did mention that Joe had asked for something and he did say "we never gave it to him". As long as we can approve first payment, so what are you proposing that we hold off paying Change Order until they – Commissioner Ricciardo: We have a motion to approve it, now we vote **yes to approve** it or **no disapprove** this resolution for the current time and go right to first payment and deduct \$18,500 from -- ED Snyder: It's not in there. Commissioner Ricciardo: Then we just go on the first payment. He's done substantial work and enough money left until Carlisle comes and approves the roof. Commissioner Fiedorczyk: I have a concern that he said at meeting this morning that documents were requested and he said they were never provided. If we can put it off, I would be more comfortable doing that.

Chairman Bitondo: We have a few different prospectives here. We'll do a roll call vote on Resolution #2024-25 – Change Order #1 – Roof Replace – work done as a result of having to hoist up, disassemble and reassemble and install air handler.

ROLL CALL VOTE – Resolution #2024-25

Commissioner Ricciardo	No
Commissioner Vandermaas	Abstain
Commissioner Carlson	Abstain
Commissioner Fiedorczyk	Abstain
Chairman Bitondo	Yes

Motion to approve Resolution #2024-25 does not pass.

Chairman Bitondo: ED Snyder, now do we request paperwork and revisit this Change Order at our next meeting? We're requesting paperwork that Commissioner Ricciardo requested that builder had committed to that shows in minutes of construction meeting. Commissioner Fiedorczyk: He said this morning that Commissioner Ricciardo asked for them and never provided them. I have an issue with that. Chairman Bitondo: What if it's determined after he provides details that work was not done – work that should have been done and wasn't done, then what? Joe is saying that it needed to be reinforced and it's not. If the architect agrees with Joe, then what? Joe says because of height of platform and weight of machine, there should have been reinforcing struts. Commissioner Ricciardo: From curb to curb. Commissioner Fiedorczyk: Is your issue the way work was done or you don't feel NHA should pay for a Change Order. It should have been included in original specs. Commissioner Ricciardo: That's my point. He knew this had to be done. First time I visited site to see what they were doing up there, I was told they had already ordered struts; already ordered mechanical people to come and crane was coming following Thursday, which did not happen – it came following Tuesday because of rain; that that was already in the works. He knew this had to be done otherwise he wouldn't have planned on doing that. ED Snyder: I can't imagine the architect's not going to agree that the work was done, because – he approved it. Now he's going to come back and say it wasn't done properly. He looked at it today with me and thought it was done fine.

Chairman Bitondo: Let's request detail from building; have architect review that detail and we also need a rationale as to why he never provided that as he indicated he would. ED Snyder: The architect? Chairman Bitondo: No, contractor was supposed to provide detail. Commissioner Fiedorczyk: It's in the minutes that we were at this morning that Joe had asked for them and never provided. He said I never gave it to him. ED Snyder: I'm confused on it. Detail is detail. If you look at Change Order, this is a (inaudible) job. There is detail in there that tells you about crane, electrician. Commissioner Ricciardo: This is – ED Snyder: I assume there are no struts or it would be in there. Commissioner Ricciardo: (Sketching a drawing) They're increasing it to 18" on both sides; this is aluminum or aluminum channel. What do you have in-between?

What holds – at 18" it has a tendency to move. A strut should go from here to here (indicating on drawing, here to here and at the other end). I've been doing this since 1968. Chairman Bitondo: We don't know that that wasn't done, right. Commissioner Ricciardo: No, It's clear open underneath. Chairman Bitondo: So you can see there are no struts. Okay. Commissioner Fiedorczyk: You're questioning work as well. Commissioner Ricciardo: All I'm questioning is I asked details of it. I asked for them to be reviewed and approved by architect before they did this and he didn't provide them. Architect might say 18" is fine. He doesn't need struts. That's his opinion. That's his errors in omission. ED Snyder: Are you looking for a drawing? Commissioner Ricciardo: Yes, I want to see a drawing; he's got to provide a detailed drawing of what he did and I'm being simple. If he had an electric box here (indicating) and the unit, wire came up through roof to it, where did this box go and how did it extend it? Did he put a junction box here (indicating) and just put this box here, piping, duct work. Chairman Bitondo: We seem to be going after the contractor; I think architect is as much at fault as contractor. Commissioner Ricciardo: I don't think architect knew that guy was planning on doing what he did. I'm sure in his head he said, I can't work on this. I have to put higher struts in and raise that unit before he even bid it because they were only a third of way done with roof when I was told this was what they were going to do. Chairman Bitondo: But you can also say that architect neglected to pick that up as well. Commissioner Ricciardo: That's something you go after later. Right now we're talking about Change Order not to architect, we're talking about Change Order to contractor. Chairman Bitondo: But had architect been more responsible, he would have ensured that detail was provided, so I think there's some responsibility that architect has to bear as well. ED Snyder: I agree.

Chairman Bitondo: Let's move on to Resolution #2024-26. I read wording a few minutes ago.

Motion to approve Resolution #2024-26 - 1st payment of \$271,890.00 to Weathertite Solutions made by Commissioner Fiedorczyk; 2nd by Commissioner Carlson.

Commissioner Ricciardo: We don't entertain Requisition #2 until we have Carlisle approval of roof system. Chairman Bitondo: We need Building Inspector signing off, Carlisle signing off and warranty and architect. ED Snyder: He did final inspection today and asked for a written report and a few punch list items on there. Chairman Bitondo: Conditions on final payment. At next meeting, Change Order and final payment and be done with this.

ROLL CALL

Commissioner Ricciardo	Yes
Commissioner Vandermaas	Yes
Commissioner Fiedorczyk	Yes
Commissioner Carlson	Yes
Chairman Bitondo	Yes

Commissioner Crossley

Excused

VOTE: AYES/All Present Commissioners (5)

Excused: Crossley

ADJOURNMENT

Motion to adjourn Special Meeting at 5:56 P.M. made by Commissioner Fiedorczyk; 2nd by Commissioner Ricciardo.

VOTE: AYES/All Present Commissioners (5)

Excused: Crossley

Respectfully submitted,

Deborah L. Alvarez, Secretary/Transcriber