

Guttenberg Housing Authority Board of Commissioners

Open Public Meeting Agenda

**Monday, December 6, 2021 at 5:00 p.m.
7005 Blvd East, Guttenberg, NJ**

1. Call to Order
2. Reading of the Open Public Meetings Act Notice
3. Roll Call
4. Pledge of Allegiance
5. Executive Director's Report
6. Financial Report and Bill List
7. Approval of Minutes

November 8, 2021 Board Meeting

8. Old Business

9. New Business

Request to solicit public bids for Audit Services, Accounting Services, and Legal Services.

10. Resolutions

Resolution 2021-29 Resolution appointing Marisol Montanez as the Housing Authority's New Jersey Public Housing Authority Joint Insurance Fund Commissioner for Fund Year 2022.

Resolution 2021-30 Resolution accepting the 2021 audit report.

Resolution 2021-31 Resolution approving the Donated Leave Time Policy.

Resolution 2021-32 Resolution amending the preferences for admission to the Public Housing program, administrative plan, and ACOP.

Resolution 2021-33 Resolution amending the preferences for admission to the Section 8 Housing Choice Voucher program, administrative plan, and ACOP.

11. Public Comment

12. Adjournment

(THE BOARD MAY CONVENE TO CLOSED SESSION DURING THE MEETING)

HOUSING AUTHORITY OF THE TOWN OF GUTTENBERG

MEETING MINUTES

This regular meeting of the Board of Commissioners was held on November 8, 2021 at 7005 Boulevard East, Guttenberg, New Jersey. The meeting was opened at 5:12 p.m. and the Open Public Meeting Act Notice was recited.

Adequate notice of this Meeting of the Board of Commissioners of the Housing Authority of the Town of Guttenberg was given in accordance with Chapter 231 of the Laws of New Jersey by publishing the meeting date in the El Especialito and the Bergen Record on May 16, 2019 and May 17, 2019, by posting the meeting date at the Guttenberg Town Hall on October 4, 2019, and by posting the meeting date on the Bulletin Board at the main office of the Housing Authority at 6900 Broadway, Guttenberg, New Jersey 07093 on May 13, 2019 and by posting the meeting date on the official website of the Housing Authority of the Town of Guttenberg on April 1, 2021.

Following the Pledge of Allegiance, roll call was taken.

ROLL CALL:

<u>X</u> Chairperson Habermann-Ward	<u>X</u> Vice Chairperson Montanez	<u>X</u> Commissioner Perez
<u>A</u> Commissioner Mantineo	<u>X</u> Commissioner Acosta	<u>X</u> Commissioner Popiel
<u>X</u> Commissioner Torres		

Also attending the meeting were Executive Director Ruddys E. Andrade and Anthony J. Arnone, Esq. of DeCotiis, FitzPatrick, Cole & Giblin, LLP (General Counsel).

EXECUTIVE DIRECTOR'S REPORT:

The Executive Director reported that the kitchen cabinets at 6900 Broadway is complete. There was a premium paid because of wood costs and the need to get it done. The Authority has undertaken the housing application process. There were 102 applications of which 76 prequalified and were placed on the waiting list. It was only open to Guttenberg residents and the 26 applications rejected were either overqualified or not a resident. The capital budget is a concern as costs have gone up especially appliances. However, housing authorities are supposed to be the beneficiary of the recently passed infrastructure bill. With regard to personnel, Dawn Rodgers a cleaning person has resigned. The Director is actively looking for replacements at a rate between 14-22 dollars an hour. Seniors for Seniors graduated 12 individuals with 8 individuals attending the graduation ceremony. North Hudson Community Action Corporation participated in the wellness component of the ceremony. These graduates are promised employment with Heart to Heart. There is an Identity Theft workshop at 7005 on November 9th being conducted by the Hudson County Community Affairs Department. There was a donation made by the Hudson County Prosecutors office creating a lego program for seniors. In addition, the Guttenberg Arts Museum had an art show. They are donating copies of art and books to our residents to promote literacy and the arts. Commissioner Torres entered the meeting at 5:21 pm.

FINANCIAL REPORT / PAYMENT OF BILLS:

A motion was made to approve the Financial Report and to accept and pay all bills. The following vote ensued:

COMMISSIONER	MOTION/ SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN-WARD, CHAIR	1	X			
MARISOL MONTANEZ, VICE CHAIR	2	X			
DR. GONZALO PEREZ		X			
JOLENE MANTINEO					X
REBECCA ACOSTA		X			
BLANCA POPIEL		X			
LUZ TORRES		X			

The motion is adopted.

APPROVAL OF MINUTES:

A motion was made to approve the minutes of the October 4, 2021 meeting of the Board of Commissioners. The following vote ensued:

COMMISSIONER	MOTION/ SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN-WARD, CHAIR		X			
MARISOL MONTANEZ, VICE CHAIR	2	X			
DR. GONZALO PEREZ		X			
JOLENE MANTINEO					X
REBECCA ACOSTA	1	X			
BLANCA POPIEL		X			
LUZ TORRES		X			

The motion is adopted.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

RESOLUTIONS:

Resolution 2021-28 authorizing a travel request to PHADA Commissioner's Conference January 8-13, 2022. The following vote ensued:

COMMISSIONER	MOTION/ SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN-WARD, CHAIR	1	X			
MARISOL MONTANEZ, VICE CHAIR		X			
DR. GONZALO PEREZ		X			
JOLENE MANTINEO					X
REBECCA ACOSTA		X			
BLANCA POPIEL	2	X			
LUZ TORRES		X			

The resolution is adopted.

PUBLIC COMMENT:

None.

DJOURNMENT:

A motion was made to adjourn the meeting. The following vote ensued:

COMMISSIONER	MOTION/ SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN-WARD, CHAIR		X			
MARISOL MONTANEZ, VICE CHAIR	1	X			
DR. GONZALO PEREZ		X			
JOLENE MANTINEO					X
REBECCA ACOSTA		X			
BLANCA POPIEL	2	X			
LUZ TORRES		X			

The meeting was adjourned at 5:30 p.m.

Ruddys E. Andrade, Executive Director/Secretary

Linda Habermann-Ward, Chairperson

**RESOLUTION
of the
HOUSING AUTHORITY OF THE
TOWN OF GUTTENBERG**

Resolution No. 2021-29

**RESOLUTION APPOINTING MARISOL MONTANEZ AS THE HOUSING
AUTHORITY'S NEW JERSEY PUBLIC HOUSING AUTHORITY JOINT INSURANCE
FUND COMMISSIONER FOR FUND YEAR 2022**

Date Introduced: December 6, 2021 Date Adopted: December 6, 2021

WHEREAS, the Housing Authority of the Town of Guttenberg ("Housing Authority"), a public entity organized and existing pursuant to the Code of Federal Regulations, the Department of Housing and Urban Development ("HUD"), and the laws of the State of New Jersey, is a member of the New Jersey Public Housing Authority Joint Insurance Fund ("JIF"); and

WHEREAS, the bylaws of the JIF require that each member appoint a Fund Commissioner to serve as its representative to the JIF for each fund year; and

WHEREAS, the Housing Authority is in need of appointing a Fund Commissioner for the current fund year; and

WHEREAS, upon review, the Housing Authority's Board of Commissioners ("Board") has determined that Marisol Montanez is duly qualified to serve as the Housing Authority's Fund Commissioner for the current fund year; and

WHEREAS, the Board has found that it is in the best interest of the Housing Authority and its overall goal of providing quality affordable housing to its residents to appoint Marisol Montanez as the Housing Authority's Fund Commissioner;

NOW THEREFORE,

BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the Town of Guttenberg hereby appoints Marisol Montanez as the Housing Authority's Fund Commissioner to the New Jersey Public Housing Authority Joint Insurance Fund for the fund year 2022; and

BE IT FURTHER RESOLVED that the Board hereby authorizes and directs the Executive Director of the Housing Authority of the Town of Guttenberg to take any and all necessary administrative actions to implement this resolution.

COMMISSIONER	MOTION/SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN, CHAIR		X			
MARISOL MONTANEZ, VICE CHAIR		X			
BLANCA POPIEL		X			
REBECCA ACOSTA		X			
JOLENE MANTINEO	2	X			
LUZ TORRES	1	X			
DR. GONZALO PEREZ		X			

Linda Habermann-Ward, Chairperson

Ruddys E. Andrade, Secretary

**HOUSING AUTHORITY OF THE TOWN OF GUTTENBERG
TRANSMITTAL FORM**

LOCAL AUTHORITIES BOARD RESOLUTION

**PRESCRIBED BY
THE NEW JERSEY LOCAL FINANCE BOARD**

WHEREAS, N.J.S.A. 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 the fiscal year ended **March 31, 2021** has been completed and filed with the Local Finance Board of the State of New Jersey pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, the Annual Report of Audit for the year ending March 31, 2021 has been filed by a Certified Public Accountant with the pursuant to N.J.S.A 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, N.J.S.A. 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 N.J.S.A. 40A:5A-17;

NOW, THEREFORE BE IT RESOLVED, that the governing body of the **Housing Authority of the Town of Guttenberg** 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 **March 31, 2021**, 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.

IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION
PASSED AT THE MEETING HELD ON _____

Secretary

Date

RESOLUTION No. 2021-30

**RESOLUTION OF THE HOUSING AUTHORITY OF THE
TOWN OF GUTTENBERG
RESOLUTION NO. 2021-31**

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A POLICY
FOR THE DONATION OF ACCRUED SICK AND/OR VACATION BY
AN EMPLOYEE TO OTHER ELIGIBLE HOUSING AUTHORITY OF
THE TOWN OF GUTTENBERG EMPLOYEES**

Date Introduced: December 6, 2021

Date Adopted: December 6, 2021

WHEREAS, the Housing Authority of the Town of Guttenberg adopted a Personnel Policies and Procedures Manual by way of Resolution No. 2019-14 adopted on March 19, 2019; and

WHEREAS, an employee of the Housing Authority of the Town of Guttenberg has exhausted his paid leave due to an illness; and

WHEREAS, the Housing Authority of the Town of Guttenberg would like to establish criteria and standards for the donation of accrued sick and/or vacation time to other eligible employees who have exhausted their own earned leave time and who are suffering from a catastrophic illness or injury which necessitates the prolonged absence from work by the employee; and

WHEREAS, the policy for the donation of accrued sick and/or vacation time to other employees is attached as Exhibit A.

NOW, THEREFORE, it is

RESOLVED, that the Board of Commissioners of the Housing Authority of the Town of Guttenberg hereby authorizes the establishment of a policy for the donation of accrued sick and/or vacation time to other eligible employees as set forth in Exhibit A; and

BE IT FURTHER RESOLVED, that this policy shall be effective as of October 21, 2021.

COMMISSIONER	MOTION/ SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN-WARD, CHAIR		X			
MARISOL MONTANEZ, VICECHAIR		X			
DR. GONZALO PEREZ		X			
REBECCA ACOSTA	1	X			
JOLENE MANTINEO		X			
LUZ TORRES		X			
BLANCA POPIEL	2	X			

Linda Habermann-Ward, Chairperson

Ruddys E. Andrade, Secretary

**RESOLUTION OF THE HOUSING AUTHORITY OF THE
TOWN OF GUTTENBERG
RESOLUTION NO. 2021-31**

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A POLICY
FOR THE DONATION OF ACCRUED SICK AND/OR VACATION BY
AN EMPLOYEE TO OTHER ELIGIBLE HOUSING AUTHORITY OF
THE TOWN OF GUTTENBERG EMPLOYEES**

Date Introduced: December 6, 2021

Date Adopted: December 6, 2021

WHEREAS, the Housing Authority of the Town of Guttenberg adopted a Personnel Policies and Procedures Manual by way of Resolution No. 2019-14 adopted on March 19, 2019; and

WHEREAS, an employee of the Housing Authority of the Town of Guttenberg has exhausted his paid leave due to an illness; and

WHEREAS, the Housing Authority of the Town of Guttenberg would like to establish criteria and standards for the donation of accrued sick and/or vacation time to other eligible employees who have exhausted their own earned leave time and who are suffering from a catastrophic illness or injury which necessitates the prolonged absence from work by the employee; and

WHEREAS, the policy for the donation of accrued sick and/or vacation time to other employees is attached as Exhibit A.

NOW, THEREFORE, it is

RESOLVED, that the Board of Commissioners of the Housing Authority of the Town of Guttenberg hereby authorizes the establishment of a policy for the donation of accrued sick and/or vacation time to other eligible employees as set forth in Exhibit A; and

BE IT FURTHER RESOLVED, that this policy shall be effective as of October 21, 2021.

COMMISSIONER	MOTION/SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN, CHAIR	2	X			
MARISOL MONTANEZ, VICE CHAIR		X			
BLANCA POPIEL		X			
REBECCA ACOSTA	1	X			
JOLENE MANTINEO		X			
LUZ TORRES		X			
Dr. GONZALO PEREZ		X			

Linda Habermann-Ward, Chairperson

Ruddys E. Andrade, Secretary

INTRODUCTION AND STATEMENT OF PURPOSE

The purpose of this policy is to establish criteria and standards for the donation of accrued sick and/or vacation time to other eligible employees who have exhausted their own earned leave time and who are suffering from a catastrophic illness or injury which necessitates the prolonged absence from work by the employee. For employees, donated leave may also be used to care for an immediate family member (spouse, parent, or child) of an employee.

POLICY

Eligibility for Receiving Donated Leave

1. The recipient must have completed at least one (1) year of continuous service at the Authority.
2. The recipient must be suffering from a catastrophic illness or injury which necessitates the employee's prolonged absence from work and for which the employee has no availability of paid leave. An employee who is out for more than sixty (60) days or who is caring for a dependent that is suffering from a catastrophic illness or injury which necessitates the employee's prolonged absence from work and for which the employee has no availability of paid leave is also eligible to receive donated leave.
3. The recipient must have exhausted all accrued leave time including compensatory time off, sick leave, vacation leave, and administrative leave.
4. The recipient must receive a total of at least two (2) donated days to participate in the program.
5. An employee receiving donated leave shall not receive temporary disability benefits for the same period they are paid wages from donated sick or vacation time.
6. The eligible recipient's leave time will be credited with the donated time indicating the donation. The recipient may receive days from more than one donor but may not use a total of more than one hundred eighty (180) days. The donated leave cannot be received on a retroactive basis.

Donor Eligibility Requirements

1. An eligible employee may donate up to forty (40) days to one recipient. They must have at least ten (10) remaining days of accrued sick leave if donating sick leave and at least twelve (12) days of accrued vacation leave if donating vacation leave.
2. An eligible leave donor may not revoke the leave donation once the donation is made in writing through the Human Resources Department.

Procedures

1. Any eligible employee may participate in this program as a leave recipient or donor by contacting the Human Resources Department. A supervisor may also initiate the process on behalf of the employee for their participation in the program as a leave recipient by contacting Human Resources.
2. Medical certification from a physician or other licensed healthcare provider providing the nature and anticipated duration of the illness or injury must be submitted by the employee requesting participation in the program. Decisions regarding eligibility will be made on a case-by-case basis by the Executive Director or Human Resources Department.
3. Once a recipient is approved for the program the Human Resources Department will post or announce by other appropriate means the name(s) of eligible employee(s) who will have exhausted all earned paid leave time by a designated date.
4. This will be announced with the recipient's consent. If the employee is unable to consent, a member of the employee's immediate family may consent on behalf of the employee as long as the family member has the employee's written authorization to participate.
5. The donor and the recipient (or family representative) will fill out the required forms. No one shall directly or indirectly intimidate, threaten or coerce, or attempt to intimidate, threaten or coerce any other employee for the purpose of interfering with any right which such employee may have with respect to contributing, receiving or using paid leave under this program. This shall include promising to confer or conferring any benefit (such as appointment, promotion, or compensation) or retaliating or threatening to retaliate (such as deprivation of an appointment, promotion, or compensation). Any employee who engages in the above prohibited conduct may be subject to disciplinary action as applicable.

Conditions

1. The donor's leave time will be reduced by the number of days which are donated and they will be notified of this in writing.
2. While using donated leave time the leave recipient shall accrue sick leave and vacation leave and be entitled to retain that sick leave upon his or her return to work.
3. Should the recipient employee return to work, or otherwise terminate the use of leave with donated time remaining, that time will be returned to the donor(s) on a prorated basis in whole days. Any pro ration that would amount to less than one whole day per donor will not be returned.
4. Upon retirement, the leave recipient shall not be granted supplemental compensation on retirement for any unused sick days which they had received through the donated leave program.
5. The donated leave program does not alter existing policies regarding entitlement and/or accrual of sick, vacation or compensatory time.

**RESOLUTION OF THE HOUSING AUTHORITY OF THE
TOWN OF GUTTENBERG
RESOLUTION NO. 2021-32**

**RESOLUTION AMENDING THE PREFERENCES FOR ADMISSION TO
THE PUBLIC HOUSING PROGRAM, ADMINISTRATIVE PLAN, AND
ACOP ADMINISTERED BY THE HOUSING AUTHORITY OF THE
TOWN OF GUTTENBERG**

Date Introduced: December 6, 2021

Date Adopted: December 6, 2021

WHEREAS, the Housing Authority of the Town of Guttenberg has previously adopted and amended a policy of preferences for admission to Public Housing in order to prioritize the availability of these programs to tenants; and

WHEREAS, the Housing Authority of the Town of Guttenberg last amended the Administrative Plan on November 2, 2020 with Resolution 2020-22 and on December 16, 2019 with Resolution 2019-38 and the ACOP on November 2, 2020 with Resolution 2020-22 and on December 16, 2019 with Resolution 2019-39; and

WHEREAS, a review of the preferences for admission to the Housing Authority of the Guttenberg under the Public Housing Program determined that an amendment should be made to the tenant selection preferences under this program; and

WHEREAS, a preference shall be given to displaced Guttenberg residents which are defined as families and elderly/disabled individuals currently residing in an emergency shelter and/or whose temporary rental assistance has expired or will expire within 90 days or have been displaced due to extraordinary circumstances outside the control of the resident, regardless of whether the waiting list is open or not; and

WHEREAS, this preference can be used a maximum of three times per calendar year.

NOW, THEREFORE, it is

RESOLVED, that the Board of Commissioners of the Housing Authority of the Town of Guttenberg hereby authorizes the amendment of the preferences for admission to the Public Housing Program for displaced Guttenberg residents as defined above for up to a maximum of three times per calendar year; and

BE IT FURTHER RESOLVED, that the Administrative Plan and ACOP shall be amended to reflect such change; and

BE IT FURTHER RESOLVED, no other amendments are being made to the Admission Policies and Procedures, Administrative Plan, and ACOP at this time and shall remain in full force and effect.

COMMISSIONER	MOTION/SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN, CHAIR		X			
MARISOL MONTANEZ, VICE CHAIR		X			
BLANCA POPIEL		X			
REBECCA ACOSTA	1	X			
JOLENE MANTINEO		X			
LUZ TORRES	2	X			
Dr. GONZALO PEREZ		X			

Linda Habermann-Ward, Chairperson

Ruddys E. Andrade, Secretary

**RESOLUTION OF THE HOUSING AUTHORITY OF THE
TOWN GUTTENBERG
RESOLUTION NO. 2021-33**

**RESOLUTION AMENDING THE PREFERENCES FOR ADMISSION TO THE
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM, ADMINISTRATIVE
PLAN, AND ACOP ADMINISTERED BY THE HOUSING AUTHORITY OF THE
TOWN OF GUTTENBERG**

Date Introduced: December 6, 2021

Date Adopted: December 6, 2021

WHEREAS, the Housing Authority of the Town of Guttenberg has previously adopted and amended a policy of preferences for admission to Section 8 Housing Choice Voucher Program in order to prioritize the availability of these programs to tenants; and

WHEREAS, the Housing Authority of the Town of Guttenberg last amended the Administrative Plan on November 2, 2020 with Resolution 2020-22 and on December 16, 2019 with Resolution 2019-38 and the ACOP on November 2, 2020 with Resolution 2020-22 and on December 16, 2019 with Resolution 2019-39; and

WHEREAS, a review of the preferences for admission to the Housing Authority of the Guttenberg under the Section 8 Housing Choice Voucher Program determined that an amendment should be made to the tenant selection preferences under this program; and

WHEREAS, a preference shall be given to displaced Guttenberg residents which are defined as families and elderly/disabled individuals currently residing in an emergency shelter and/or whose temporary rental assistance has expired or will expire within 90 days or have been displaced due to extraordinary circumstances outside the control of the resident, regardless of whether the waiting list is open or not; and

WHEREAS, this preference can be used a maximum of three times per calendar year.

NOW, THEREFORE, it is

RESOLVED, that the Board of Commissioners of the Housing Authority of the Town of Guttenberg hereby authorizes the amendment of the preferences for admission to the Section 8 Housing Choice Voucher Program for displaced Guttenberg residents as defined above for up to a maximum of three times per calendar year; and

BE IT FURTHER RESOLVED, that the Administrative Plan and ACOP shall be amended to reflect such change; and

BE IT FURTHER RESOLVED, no other amendments are being made to the Admission Policies and Procedures, Administrative Plan, and ACOP at this time and shall remain in full force and effect.

COMMISSIONER	MOTION/SECOND	YES	NO	ABSTAIN	ABSENT
LINDA HABERMANN, CHAIR		X			
MARISOL MONTANEZ, VICE CHAIR		X			
BLANCA POPIEL		X			
REBECCA ACOSTA	1	X			
JOLENE MANTINEO		X			
LUZ TORRES	2	X			
Dr. GONZALO PEREZ		X			

Linda Habermann-Ward, Chairperson

Ruddys E. Andrade, Secretary