

**MINUTES OF THE MAY 3, 2023
REGULAR MEETING
OF THE HOUSING AUTHORITY
OF THE TOWN OF PHILLIPSBURG**

A Meeting of the Housing Authority of the Town of Phillipsburg was held on May 3, 2023 at 6:30 P.M. at the Phillipsburg Housing Authority Community Building, 535 Fisher Avenue, Phillipsburg, New Jersey 08865.

The meeting was called to order at 6:30 P.M. by Chairman Corcoran and upon roll call the following members were present: Commissioners Corcoran, Shelly, Hay, Scerbo, Pierce, and Lewis. Also present were Executive Director Tom McGuire, and General Counsel, Katharine Fina, Esq. Commissioner Vanwhy was absent.

Chairman Corcoran announced in accordance with the Open Public Meetings Act, notice of the meeting was delivered to the Express-Times, Municipal Clerk, posted in the Municipal Building, posted in the Housing Authority Lobby and on the Housing Authority website. Chairman Corcoran directed said announcement to be entered in the minutes of the meeting.

PUBLIC COMMENT

Helen Williams stated that there are persons living in the senior high-rise who are not paying rent/on the lease. She complained that these same individuals are using the new laundry rooms. Mr. McGuire advised that the Authority is implementing access cards for the laundry room, but it will be on the residents not to provide the access cards to non-tenants.

Teresa Smith stated that there are residents with air conditioners who are not paying.

Tom Falvey requested that the sidewalk to Wawa be fixed. He also stated that the ventilation system in his apartment is not working.

Ann Marie Cortezzo stated that a neighbor threw away food from the food bank.

ACCEPTANCE OF THE MINUTES OF THE REGULAR MEETING ON APRIL 5, 2023.

Commissioner Shelly moved to approve the minutes, which motion was seconded by *Commissioner Pierce*. The minutes were unanimously accepted.

ACCEPTANCE OF THE MINUTES OF THE SPECIAL MEETING ON APRIL 19, 2023.

Commissioner Hay moved to approve the minutes, which motion was seconded by *Commissioner Scerbo*. The minutes were accepted by a vote of 4-0-2 with Commissioners Lewis and Pierce abstaining.

BILLS – April 2023

Commissioner Pierce moved to approve the bills for April 2023, which motion was seconded by *Commissioner Hay*. Bills were approved by a vote of 5-0-1 with Commissioner Pierce abstaining.

COMMUNICATIONS

NORWESCAP Summer Food Program

ADMINISTRATIVE REPORT

Mr. McGuire reported that Bartha and Son completed the concrete work. However, the Authority received a municipal mechanics' lien from Custom Masonry, who had a contract with Bartha and Son on the project. Ms. Fina explained that a municipal mechanics' lien is a lien on funds that become due and owing on a public contract. In this case, Bartha and Son had already been paid in full when the Authority received the municipal mechanics lien and a letter was sent to Custom Masonry advising of such. Ms. Fina advised that Custom Masonry also submitted a claim with Bartha and Son's surety under the payment bond. Ms. Fina stated that this appears to be a contractual issue between Custom Masonry and Bartha.

REPORT OF THE SECRETARY TREASURER

Mr. McGuire reported that in April 2023, there was 4 move-outs and 5 move-ins. The application list is presently open for seniors. There are 14 on the waiting list for senior units. Mr. McGuire reported that there are 11 unoccupied units, which is an occupancy of 98%.

REPORT OF COMMITTEES

Finance/Bank Balances: Mr. McGuire provided a statement of the Authority's Investments. There were no questions.

Personnel:

Nothing to report.

NEW BUSINESS:

RESOLUTION #2036 - RESOLUTION OF THE HOUSING AUTHORITY OF THE TOWN OF PHILLIPSBURG, NEW JERSEY APPROVING THE LAKELAND BANK BOND FINANCING TERM SHEET, DATED FEBRUARY 21, 2023, AUTHORIZING THE EXECUTION THEREOF AND OTHER ACTIONS RELATING THERETO

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* as follow:

1. The Term Sheet provided by Lakeland Bank, dated February 21, 2023, and attached hereto as Exhibit "A" is hereby approved.
2. The Executive Director of the Housing Authority is hereby authorized and directed to execute and deliver the Term Sheet to the appropriate party. The execution of the Term Sheet by the Executive Director of the Housing Authority shall be conclusive evidence of the approval of the terms thereof by the Housing Authority and no other Board action is required to approve or ratify its execution.
3. The Executive Director along with other designated authorized officers of the Housing Authority, including but not limited to the Chairman, Secretary, and/or Vice Chairman (the "Authorized Officers") are each hereby authorized and directed to execute any documents , many any agreements, approve any changes and authorize and undertake and perform any and all actions as are necessary to effectuate the transactions contemplated by the Lakeland Term Sheet and by the within Resolution.

Commissioner Shelly moved to adopt Resolution #2036, which motion was seconded by *Commissioner Hay*. This Resolution was unanimously approved.

RESOLUTION #2037 – APPROVAL TO OFFER SECOND YEAR OPTION FOR AUDIT SERVICES TO GIAMPAOLO & ASSOCIATES

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby approves the second-year option for Audit Services to Giampaolo & Associates as the PHA Auditor in the amount of \$8,745.00 per year for fiscal year July 1, 2022 to June 30 2023.

Commissioner Pierce moved to adopt Resolution #2037, which motion was seconded by *Commissioner Hay*. This Resolution was unanimously approved.

RESOLUTION # 2038 – APPROVAL OF GENERAL COUNSEL LEGAL SERVICES TO FLORIO PERRUCCI STEINHARDT CAPPELLI TIPTON & TAYLOR, LLC

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby awards the contract for Legal Services of General Counsel to Florio Perrucci Steinhardt Cappelli Tipton & Taylor, LLC at the rate of \$190.00 per hour for Legal Counsel Representation and \$100.00 per hour for Paralegal Services for the period of 7/1/2023 to 6/30/2024.

Commissioner Shelly moved to adopt Resolution #2038, which motion was seconded by *Commissioner Scerbo*. This Resolution was unanimously approved.

RESOLUTION # 2039 – APPROVAL OF TENANT/LANDLORD LEGAL SERVICES TO JOHN CALECA, III ESQ.

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby awards the contract for Legal Services of Tenant/Landlord Counsel to John Caleca III, Esq. a retainer fee in the sum of Twenty-four Thousand Dollars (\$24,000) payable in twelve (12) monthly installments of Two Thousand (\$2,000) for up to thirty (30) tenant-landlord filings per month and the sum of \$225.00 per hour for each additional tenant-landlord filing in excess of thirty (30) for the period of 7/1/2023 to 6/30/2024.

Commissioner Shelly moved to adopt Resolution #2039, which motion was seconded by *Commissioner Lewis*. This Resolution was unanimously approved.

RESOLUTION # 2040 – APPROVAL FOR EMPLOYEE HEALTH BENEFIT PERCENTAGE TO REMAIN THE SAME & NOT BE AFFECTED BY THE TWENTY-THREE PERCENT (23%) INCREASE FROM THE STATE

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby accepts the recommendation of the Executive Director and approves to have Employee Contributions of Health Benefits remain at the current percentage each employee is contributing.

Commissioner Lewis moved to adopt Resolution #2040, which motion was seconded by *Commissioner Pierce*. This Resolution was approved by a vote of 5-0-1, with Commissioner Pierce abstaining.

RESOLUTION # 2041 – APPROVAL OF PAYMENT TO O&S ASSOCIATES, INC.

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby approves and authorizes said payment in the amount of \$4,250.00 to O&S Associates, Inc. for services rendered for the John F. O'Donnell Façade Repair.

Commissioner Pierce moved to adopt Resolution #2041, which motion was seconded by *Commissioner Hay*. This Resolution was unanimously approved.

RESOLUTION # 2042 – APPROVAL OF PAYMENT TO TOM BARTHA & SON EXCAVATING

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby approves and authorizes said payment in the amount of \$26,858.85 to Tom Bartha & Son Excavating for Concrete Slabs & Stairs

Commissioner Pierce moved to adopt Resolution #2042, which motion was seconded by *Commissioner Scerbo*. This Resolution was approved with a vote of 5-0-1 with Commissioner Pierce abstaining.

RESOLUTION # 2043 – ADOPTION OF ANNUAL AND CAPITAL BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners*, at an open public meeting held on May 3, 2023, the Annual Budget and the Capital Budget/Program of the Housing Authority for the Fiscal Year beginning 7/1/2023 and ending 6/30/2024 is hereby adopted and shall constitute appropriations for the purposes stated; and

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

Commissioner Scerbo moved to adopt Resolution #2043, which motion was seconded by *Commissioner Hay*. This Resolution was unanimously approved.

COMMISSIONER COMMENT

Commissioner Pierce asked about the public comment regarding non-tenants living on the premise. He asked whether there are cameras on each floor. Mr. McGuire advised that, at this time, there are no cameras on the floors in the senior buildings. However, the Authority just went out to bid for updates to the entire system. Bids are due May 24th. Mr. McGuire stated that any upgrades would be compatible with the Police Department's software.

Commissioner Scerbo requested a list or roster of cameras, including the number of functioning cameras. Commissioner Scerbo stated that he recognizes the cost, but voiced his concern for the safety of our residents.

Commissioner Pierce stated that as the Authority moves forward, we should do so with no conflicts.

Commissioner Hay voiced his concern for the safety and security of the residents, particularly in light of the recent gun incident. Although Commissioner Hay recognizes the heavy costs, he wants

the Authority to do more for the safety and security of the residents, including additional cameras. Mr. McGuire reported that he met with the Town Police Department and reviewed and discussed additional locations for cameras.

Commissioner Shelly asked how many cameras the Authority has. Mr. McGuire responded that the Authority has approximately 75. The Authority is seeking to get tri-head cameras with 365 degree view, which would allow a single cameras to view and cover more area, so additional cameras may not be necessary.

Commissioner Pierce asked how the Authority could deter tenants from using air conditioning not paid for. Mr. McGuire stated that the Authority does check to identify who has an air conditioner and confirms it is paid for. If the Authority identifies a tenant with an air conditioner who has not paid, they are sent an invoice.

Commissioner Pierce asked whether there is a program to offer a subsidy or payment plan to tenants for the cost of the air conditioner. Mr. McGuire reported there is not an internal subsidy or plan, but that the tenants may receive help from the Division of Aging.

EXECUTIVE SESSION

Commissioner Hay made a motion to enter into Executive Session, which was seconded by *Commissioner Lewis*. All were in favor.

Commissioner Hay made a motion to re-enter Regular Session, which was seconded by *Commissioner Pierce*. All were in favor

ADJOURNMENT

There being no further business to come before this Authority, Commissioner Hay moved at the call of Chairman Corcoran to adjourn the meeting, which motion was seconded by Commissioner Pierce. Meeting adjourned at approximately 8:02 P.M.

THOMAS F. MCGUIRE
Executive Director/Secretary-Treasurer

T. KENT CORCORAN