

**MINUTES OF THE MAY 8, 2024
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 8, 2024, 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, Hay, Lewis, Shelly & Vanwhy. Commissioner Pierce was absent.

Also, present were Executive Director Tom McGuire and General Counsel Katharine Fina, Esq. Maintenance Foreman, Tim Burger and Director of Operations, Mark Axelrod.

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 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 - None

ACCEPTANCE OF THE MINUTES OF THE REGULAR MEETING ON APRIL 10, 2024.

Commissioner Hay moved to approve the minutes, which motion was seconded by Commissioner Shelly. This was unanimously approved.

BILLS – April

Commissioner Hay moved to approve the bills for April 2024, and the motion was seconded by Commissioner Lewis. Bills were unanimously approved.

COMMUNICATIONS - None

ADMINISTRATIVE REPORT

Executive Director McGuire informed the Board that the Annual Inspection using the NSPIRE protocols of all units is underway and should be completed by the end of the week.

The on-site HUD compliance review/audit will be May 14th – 16th. HUD auditors may ask to speak with Commissioners, PHA Management, staff and residents. ED McGuire was confident that all HUD required systems, protocols and procedures are in place and being followed, but welcomes any suggested changes from the HUD audit-based findings.

REPORT OF THE SECRETARY TREASURER

There were 4 move ins and 3 move outs. This creates 17 current vacancies, which is 97.06% overall occupancy.

No applications are being taken currently for the family units. There are 18 applications for Senior units.

A moment of silence was held for former Commissioner Cecile Franceschino who recently passed away.

REPORT OF COMMITTEES

Finance/Bank Balances:

Executive Director McGuire provided a statement of the Authority's investments. There were no questions.

Personnel:

A discussion of Personnel Matters was held during Executive Session.

NEW BUSINESS:

RESOLUTION #: 2137 - APPROVAL OF FLAT RENT SIGNIFICANT AMENDMENT

WHEREAS, *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby amends its flat rent policies to comply with the statutory changes contained within, Public Law 113-76, the Fiscal Year 2014 Appropriation Act.

WHEREAS, *Housing Authority of the Town of Phillipsburg Board of Commissioners* will set the flat rental amount for each public housing unit that complies with the requirement that all flat rents be set at no less than 80 percent of the applicable Fair Market Rent (FMR) adjusted, if necessary, to account for reasonable utilities costs. The new flat rental amount will apply to all new program admissions effective October 1, 2024. For current program participants that pay the flat rental amount, the new flat rental amount will be offered, as well as the income-based rental amount, at the next annual rental option

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* will place a cap on any increase in a family's rental payment that exceeds 35 percent, and is a result of changes to the flat rental amount as follows:

- Multiply the existing flat rental payment by 1.35 and compare that to the updated flat rental amount;
- The PHA will present two rent options to the family as follows:
 - The lower of the product of the calculation and the updated flat rental amount; and
 - The income-based rent to the family as follows:
 - the lower of the product of the calculation and the updated flat rental amount; and the income-based rent.

Commissioner Shelly moved to adopt Resolution #2137, which motion was seconded by Commissioner Hay. This Resolution was unanimously approved.

RESOLUTION #: 2138 - APPROVAL OF PHILLIPSBURG HOUSING AUTHORITY BOARD OF COMMISSIONERS TO SUBMIT THE FIVE YEAR AND ANNUAL PLANS 2024 –2028 TO HUD.

WHEREAS, The Housing Authority of the Town of Phillipsburg Commissioners desirous of submitting its 2024 – 2028 Five Year and Annual Plan to HUD for approval, and

WHEREAS, the Housing Authority of the Town of Phillipsburg are desirous of authorizing Thomas McGuire, the Executive Director, to execute the plans and its attachments on behalf of the Phillipsburg Authority and return same to the Department of HUD.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of Phillipsburg to hereby authorize the Executive Director, Thomas McGuire, to execute the 2024 – 2028 Five Year and Annual Plan and all its components.

Commissioner Hay moved to adopt Resolution #2138, which motion was seconded by Commissioner Lewis. This Resolution was unanimously approved.

RESOLUTION #: 2139- ADOPTION OF ANNUAL AND CAPITAL BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025.

WHEREAS, the Annual Budget and Capital Budget for the *Housing Authority of the Town of Phillipsburg* for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, has been presented for Adoption before the Commissioners of the Housing Authority, at its open public meeting of May 8, 2024; and

WHEREAS, the Annual Budget and Capital Budget 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 the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for Adoption reflects Total Revenues of \$ **6,733,387.00**; Total Appropriations, including any Accumulated Deficit, if any, of \$ **6,154,380.00** and Total Fund Balance utilized of \$0;

WHEREAS, the Capital Budget as presented for Adoption reflects Total Capital Appropriations of **\$1,360,000.00** and Total Fund Balance planned to be utilized as funding thereof, of \$0; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the Town of Phillipsburg, at an open public meeting held on May 8, 2024; the Annual Budget and the Capital Budget/Program of the Housing Authority for the Fiscal Year beginning 7/1/2024 and ending 6/30/2025; 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 Hay moved to adopt Resolution #2139, which motion was seconded by Commissioner Vanwhy. This Resolution was unanimously approved.

RESOLUTION #: 2140 APPROVAL AUTHORIZING THE PHILLIPSBURG HOUSING AUTHORITY TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH COUNTY OF BERGEN NEW JERSEY COOPERATIVE PURCHASING ALLIANCE # CK04.

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen New Jersey Cooperative Purchasing Alliance #CK04, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 8, 2024, the governing body of the PHILLIPSBURG HOUSING AUTHORITY, County of WARREN, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW, THEREFORE BE IT RESOLVED as follows:

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the PHILLIPSBURG HOUSING AUTHORITY.

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, EXECUTIVE DIRECTOR, THOMAS F. McGUIRE is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

This resolution shall take effect immediately upon passage.

Commissioner Shelly moved to adopt Resolution #2140, which motion was seconded by Commissioner Vanwhy. This Resolution was unanimously approved.

RESOLUTION #: 2141 - APPROVAL OF PAYMENT TO “SUNSHINE TREE & LANDSCAPE” FOR TREE TRIMMING SERVICES.

WHEREAS, *Housing Authority of the Town of Phillipsburg* is engaged in an agreement with “*Sunshine Tree and Landscape*”; and;

WHEREAS, “*Sunshine Tree & Landscape*” is hereby requesting payment in the amount of \$6,579.00 for Tree Trimming Services

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 \$6,579.00 to “*Sunshine Tree & Landscape*” Tree Trimming Services.

Commissioner Hay moved to adopt Resolution #2141, which motion was seconded by Commissioner Vanwhy. This Resolution was unanimously approved.

RESOLUTION #: 2142 - APPROVAL OF PAYMENT TO “TURN-KEY TECHNOLOGIES”

WHEREAS, *Housing Authority of the Town of Phillipsburg* is engaged in an agreement with “*Turn-Key Technologies*”; and,

WHEREAS, “*Turn-Key Technologies*” is hereby requesting payment in the amount of \$136,940.86 for Phase II of Cameras for the family developments and licenses for cameras in the Heckman House; and,

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 \$136,940.86 to “*Turn-Key Technologies*” for Phase II of Cameras for the family developments and licenses for cameras in the Heckman House.

Commissioner Hay moved to adopt Resolution #2142, which motion was seconded by Commissioner Shelly. This Resolution was unanimously approved.

RESOLUTION #: 2143 APPROVAL FOR PHILLIPSBURG HOUSING TO OPEN A NEW ACCOUNT AT “PROVIDENT BANK” FOR BANKING SERVICES FOR THE STATE OF NEW JERSEY LIBRARY GRANT

WHEREAS, *the Housing Authority of the Town of Phillipsburg* desires to open an Account at “Provident Bank” for Banking Services for the State of New Jersey Library Grant; and

WHEREAS, Thomas F. McGuire, Executive Director recommends opening a new bank Account at “*Provident Bank*” for Banking Services for the State of New Jersey Library Grant; and

BE IT RESOLVED, the consent of *the Housing Authority of the Town of Phillipsburg* Board of Commissioners be and hereby accorded for opening the following bank account from “*Provident Bank*”:

Name of Bank: “*Provident Bank*”

New Account: Housing Authority Town of Phillipsburg NJ State Library Grant

BE IT FURTHER RESOLVED, *the Board of Commissioners of the Housing Authority of the Town of Phillipsburg* hereby authorizes Mr. Thomas F. McGuire, Executive Director to sign and submit to “*Provident Bank*” all such application forms, documents, and papers in writing as may be required in this connection; and

BE IT FURTHER RESOLVED, the Board of Commissioners of the Housing Authority of the Town of Phillipsburg hereby authorizes Mr. Thomas F. McGuire, Executive Director to sign the certified true copy of the above resolutions to be forward to “*Provident Bank*” as and when is necessary; and

NOW, THEREFORE, BE IT RESOLVED, by the *Board of Commissioners of the Housing Authority of Phillipsburg* to hereby authorizes and approves opening a new account for the State of New Jersey Library Grant at “*Provident Bank*”.

Commissioner Hay moved to adopt Resolution #2143, which motion was seconded by Commissioner Lewis. This Resolution was unanimously approved.

RESOLUTION #: 2144 APPROVAL OF REPAIRS BY “DIEFENDERFER ELECTRICAL CONTRACTORS” FOR EMERGENCY REPAIR OF THREE UTILITY POLES.

WHEREAS, *Housing Authority of the Town of Phillipsburg* was in need of emergency services and engaged in an agreement with “*Diefenderfer Electrical Contractors*” and;

WHEREAS, the Board of Commissioners of the Housing Authority of the Town of Phillipsburg hereby authorizes and approves the necessary repairs for labor material & equipment for Pole #1 Corner of Anderson and Kneedler (Heckman Terrace) in the amount of **\$29,771.00** to “*Diefenderfer Electrical Contractors*”.

WHEREAS, the Board of Commissioners of the Housing Authority of the Town of Phillipsburg hereby authorizes and approves the necessary repairs for labor material & equipment for Pole #2 by the Railroad Tracks (Heckman Terrace Annex) in the amount of **\$37,205.00** to “*Diefenderfer Electrical Contractors*”.

WHEREAS, the Board of Commissioners of the Housing Authority of the Town of Phillipsburg hereby authorizes and approves the necessary repairs for labor material & equipment for Pole #3 Riser Pole by the Basketball Court (Heckman Terrace Annex) in the amount of **\$39,900.00** to “*Diefenderfer Electrical Contractors*”.

NOW THEREFORE BE IT RESOLVED, the *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby approves and authorizes said repairs to Poles 1, 2 & 3 in the total amount of **\$106,876.00** to “*Diefenderfer Electrical*”.

Commissioner Hay moved to adopt Resolution #2144, which motion was seconded by Commissioner Lewis. This Resolution was unanimously approved.

RESOLUTION #: 2145 - APPROVAL FOR PHILLIPSBURG HOUSING AUTHORITY TO REJECT BID & REBID FOR CONSTRUCTION OF THE BASKETBALL COURT

WHEREAS, *Housing Authority of the Town of Phillipsburg* Requested Proposals for “*Construction of Basketball Court*”, and

WHEREAS, the *Housing Authority of the Town of Phillipsburg* received one Proposal:

WHEREAS, the Housing Authority of the Town of Phillipsburg reviewed the proposal and acknowledged receipt of the proposal for “*Construction of Basketball Court*”; and,

WHEREAS, the bid for “*Construction of Basketball Court*” substantially exceeded the cost estimate of the project and substantially exceeded the Authority’s appropriation for the project; and,

NOW THEREFORE BE IT RESOLVED, *Housing Authority of the Town of Phillipsburg Board of Commissioners* hereby approves to reject the Proposal for “*Construction of Basketball Court*” and rebid.

Commissioner Hay moved to adopt Resolution #2145, which motion was seconded by Commissioner Lewis. This Resolution was unanimously approved.

RESOLUTION #: 2146 APPROVAL OF ACC AMENDMENT TO ITS CAPITAL FUND PROGRAM IN THE AMOUNT OF \$2,172,388.00

WHEREAS, the *Housing Authority of the Town of Phillipsburg* has received the 2024 ACC Amendment to its Capital Fund Program in the amount of **\$ 2,172,388.00** and

WHEREAS, the *Housing Authority of the Town of Phillipsburg Board of Commissioners* are desirous of authorizing Thomas McGuire, Executive Director, to execute the Amendment on behalf of the Phillipsburg Housing Authority and return same to the Department of HUD.

NOW, THEREFORE, BE IT RESOLVED, by the *Board of Commissioners of the Housing Authority of Phillipsburg* to hereby authorize the Executive Director, Thomas McGuire, to execute the 2024 ACC Amendment to the Capital Fund Program.

Commissioner Hay moved to adopt Resolution #2146, which motion was seconded by Commissioner Lewis. This Resolution was unanimously approved.

EXECUTIVE SESSION

A motion was made to move to Executive Session by Commissioner Hay and seconded by Commissioner Vanwhy.

Personnel Matters were to be discussed.

Upon returning, Commissioner Hay made a motion to return to the meeting from Executive Session which was seconded by Commissioner Lewis.

RESOLUTION #: 2147 - APPROVAL OF THE CONTRACT BETWEEN THE PHILLIPSBURG HOUSING AUTHORITY AND THE EXECUTIVE DIRECTOR, THOMAS F. MCGUIRE

WHEREAS, the Housing Authority of the Town of Phillipsburg, a public body created and organized pursuant to and in accordance with the laws of the State of New Jersey, appointed Thomas F. McGuire as the Executive Director effective June 1, 2022; and

WHEREAS, the Housing Authority of the Town of Phillipsburg entered into an Employment Contract with Mr. McGuire for a term of one year commencing on June 1, 2022 and expiring May 31, 2023 and entered into a subsequent employment agreement for the term of June 1, 2023 to May 31, 2024; and

WHEREAS, Housing Authority of the Town of Phillipsburg seeks to extend Mr. McGuire's employment as the Executive Director and, pursuant to N.J.S.A. 40A:12A-18 desires to enter into and execute a contract with Mr. McGuire setting forth the terms and conditions of Mr. McGuire's employment; and

WHEREAS, the contract has a term of one year from June 1, 2024 to May 31, 2025; and

WHEREAS, a copy of the contract is annexed hereto as Exhibit A (hereinafter "Contract").

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the Town of Phillipsburg hereby approves the Contract between the Housing Authority of the Town of Phillipsburg and Thomas F. McGuire as annexed hereto as Exhibit A and authorizes the Chairman to execute said Contract on behalf of the Housing Authority of the Town of Phillipsburg.

Commissioner Hay moved to adopt Resolution #2147, which motion was seconded by Commissioner Vanwhy. This Resolution was unanimously approved.

COMMISSIONER COMMENT

Executive Director McGuire on behalf of himself and the Board of Commissioners expressed gratitude and support of Maintenance Foreman, Tim Burger. Foreman Burger had come under some negative and inaccurate scrutiny on social media recently for addressing a stove issue during an inspection.

Commissioner Hay suggested that the PHA look into the possibility of a "child proof handle" on the stoves that are in our apartments.

Chairman Corcoran acknowledged Burger's many years of service to the PHA and his leadership of the maintenance staff.

Commissioners Lewis, Vanwhy and Shelly also expressed their acknowledgement and support of Burger and his maintenance staff.

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 Vanwhy. The meeting adjourned at 7:32 pm.

THOMAS F. McGUIRE
Executive Director/Secretary-Treasurer

T. KENT CORCORAN
Chairman