

**BERKELEY TOWNSHIP HOUSING AUTHORITY**

**REGULAR MEETING:**

*These Minutes are not verbatim, but a condensed version of what transpired at the Berkeley Township Housing Authority Board of Commissioners Meeting held on March 29, 2016 at 4:00 PM in the Community Room, located at the Administration Building at 44 Frederick Drive, Bayville NJ.*

**PRESENT:** GRACE DEKKER, EXECUTIVE DIRECTOR  
LYNNE NUTLEY, CHAIRPERSON  
KATHLEEN NUNN, VICE-CHAIRPERSON  
NILDA GARIBALDI, COMMISSIONER  
KATHERINE FULCOMER, COMMISSIONER  
TERRENCE CORRISTON, LEGAL COUNSEL

**ABSENT:** JUDY NOONAN, COMMISSIONER  
NIKOLAUS SEITZ, COMMISSIONER  
ANGIE FRATIANNI, COMMISSIONER  
JANET MALANGA, TRANSCRIBER

**CALL TO ORDER:** Public Meetings Act, adequate notice of this meeting has been provided in the following manner; in January 2016 a notice of all meetings was provided to the Township of Berkeley Clerks Office, the Asbury Park Press, and was posted on the Authority official public bulletin board at the BTHA's Administration Buildings as well as the BTHA's Website.

**PLEDGE OF ALLEGIANCE:** All those present recited the Pledge of Allegiance.

**MOMENT OF SILENCE:** A moment of silence was observed for a moment of silent prayer for the troops overseas.

**ROLL CALL:** Roll call was read as listed above.

**AUTHORIZATION BY THE BOARD TO APPROVE THE MINUTES FOR THE JANUARY BOARD MEETING:** A motion by Commissioner Nunn to approve the Minutes. The motion was seconded by Commissioner Garibaldi. Roll call found all others to be in favor.

**AUTHORIZATION BY THE BOARD TO APPROVE THE MINUTES FOR THE CLOSED SESSION OF THE JANUARY BOARD MEETING:** No Closed Session

**AUTHORIZATION BY THE BOARD TO APPROVE FOR PAYMENTS POINTS A THROUGH F:** A motion was made to approve the payments points A through F by Commissioner Fulcomer. Commissioner Garibaldi seconded the motion. Roll call found all others to be in favor.

**REPORTS TO THE BOARD:**

**LEGAL COUNSEL** –Mr. Corriston said that one of her biggest problems with a tenant has vacated. This was a gentleman that was harboring bed bugs and smoking in the unit and the problem was where he would go. When the HA had his Fair Hearing it was ruled that he would be given until April 1<sup>st</sup> to relocate. He did find a new place to go.

The HA had scheduled a meeting for today with the family residents at the other site and they had also heard for a legal aid attorney requesting the policies and procedures and copy of leases that they could review on behalf of some tenants with concerns. A letter was received from her outlining some her concerns regarding some of the concerns with the administrative policies that the HA has in place. The HA will speak to her and that there is some room for improvement. The bulk of the issues raised by legal aid are relating to policies that the HA does not even enforce. Additional charges in order to collect as rent the lease must specify that is considered additional rent. Most standard leases will say in NJ that charges will become additional rent if unpaid within thirty days and even for housing authorities the lease

used to say that. Tenants cannot pay more than 30% of their income as rent under public housing law. Tenants pay 30% adjusted. There is a formula when the issue came up the legal aid argued to the court then they are paying over 30% so you cannot add anything to the rent because now you are violating federal law. This was a terrible decision but they are stuck with that in NJ so you cannot treat that as additional rent. When the HA goes to court you also owe money and can evict but not as rent. The HA knows that the policies are out of date.

**EXECUTIVE DIRECTOR** – Grace said that Terry's contract was there if the Board would like to extend it. She also discussed the maintenance charges and said that they are in line with some of the housing authorities. They have to give the tenants notice. If the Board would like to approve with Terry reviewing some of those charges.

She said that the Board could see the letter regarding the buyback time. She talked to Terry and he investigated it and she also talked to Rich Larsen the auditor. In 2004 Lynne suggested that the HA changed the policy on the buyback time for the employees. Bob is way past his time at the HA. When they started they were entitled to their time. Then the policy changed in 2004 to say 85% going forward. In this year the HA would like to put a cap on that. Some housing authorities do 15 some don't have any. Grace put no more than \$20,000 as a cap. It is up to the Board. Terry said that the HA has an obligation to carry that liability on the books and report it.

She put a letter in the packet for RAD from Bill Snyder the consultant where the HA was at. She had a conference call with him and Dave and what the HA needed to do going forward. The HA is asking for a few days of an extension to wait for something that is coming from the town.

The Lease needed to be amended to show that the HA changed banks so that would show where the security deposits would be, the extermination and that the mattresses needed to be off of the floor. The tenants will have thirty days' notice as to the changes.

The HA got a check from Home Depot. It is a savings that the HA gets at the end of the year. It gets deposits into the operating account. The non-refundable fee is for a tenant that we hold the apartment for and then sometimes they do not move into and they do not call. The HA is asking if they can do a holding fee of \$50. That money will get credited to security deposit or rent but if they cancel the HA is asking that is be a non-refundable fee. Terry said that he would check. The Board would need to hold off on that until he checked with HUD.

**MAINTENANCE SUPERVISOR** – Bob said that the Home Depot rewards program is over so the HA will not get the check anymore. The staff at Home Depot notifies the HA when items are coming up on sale. They are very in tune with the housing authority. If they are going to discontinue items they call to see if the housing authority is interested.

There were five apartment turnovers since January. One of them had pets and it was a service pet. There was no security deposit and there was \$1500 in damages to the floors plus labor and they have no recourse on her.

All the fertilizing is done for the season. They got a heads start on everything. A tenant moved out and was loaded with bed bugs. He called the exterminator said that he would be there immediately. There were thousands of bed bugs in his bed. He sprayed and the mattresses had to be taken out of the apartment. The source was taken out so they think that the might be able to get under control. The apartment is going to need to be gutted. The kitchen might even need to be taken out.

## **APPROVE RESOLUTIONS**

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|-----------------|---|
| <b>2016-3-1</b> | <b>To Approve Legal Counsel from Terrence Corriston per the Option to Extend.</b> |
| <b>2016-3-2</b> | <b>To Approve the Maintenance Charge List for 2016</b>                            |
| <b>2016-3-3</b> | <b>To Approve Buy Back Time for Employees</b>                                     |

**2016-3-4 To Approve Lease Updates**

Commissioner Nunn approved the Resolutions. Commissioner Fulcomer seconded the motion. Roll call found all to be in favor.

**UNFINISHED BUSINESS** –None

**NEW BUSINESS** –None

**PUBLIC PORTION** – Wayne from Site A said that he is disabled and has a beautiful apartment. He said that the sidewalk was very dangerous even if you are not disabled. Grace said that he was talking about the sidewalk and that it is uneven and it is a hazard.

**CLOSED SESSION** – None

**MOTION TO ADJOURN** –Commissioner Fulcomer made a motion to adjourn. Commissioner Nunn seconded the motion. Roll call found all in favor.