

THE HOUSING AUTHORITY OF THE CITY OF LINDEN

JULY 13, 2023

Minutes from the Housing Authority of the City of Linden's Board of Commissioners Special Meeting of July 13, 2023.

The Open Public Meeting Act notice was recited and the meeting commenced upon the Roll Call by Secretary Ann J. Ferguson at 5:06 p.m.

Roll Call:

| COMMISSIONER | MOTION/ SECOND | YES | NO | ABSTAIN | ABSENT |
|----------------------------|-------------------|-----|----|---------|--------|
| JOSEPH INFANTE, CHAIR | | X | | | |
| SHERI HUMPHREY, VICE CHAIR | | X | | | |
| KAREN LUKENDA | | X | | | |
| GARY MANNUZZA | | X | | | |
| PETER MATLOSZ | | X | | | |
| DANI ORELIEN | | X | | | |
| JOANNE PETKOV | | X | | | |

Also present: Executive Director Ann J. Ferguson; Deputy Executive Director Kathy Sanders; Attorney Joseph A. Manfredi of Manfredi & Pellechio (General Counsel), and Jerry Volpe, QPA.

NEW BUSINESS

Jerry Volpe, QPA reported to the Board on pending contract and procurement matters. Deputy Executive Director Sanders commented on pending contract and procurement matters. There is a lengthy discussion regarding procurement records.

Chairman Infante commented on pending financial matters, including the budget and the Executive Director's current employment contract.

2023-22: Resolution to approve and authorize providing the Executive Director with written notice that her current employment agreement will not be renewed. Commissioner Lukenda commented on offering Executive Director Ferguson a new employment agreement. Chairman Infante commented on the automatic renewal provision in the current employment agreement. General Counsel commented on the Board's prior decisions pertaining to the employment agreement. Commissioner Orlie commented on the Housing Authority's reliance on funding from the non-profits to pay its salaries. Peter Polcari commented on the use of the term budget deficit and the allocation of employee salaries. The following vote ensued:

| COMMISSIONER | MOTION/ SECOND | YES | NO | ABSTAIN | ABSENT |
|----------------------------|-------------------|-----|----|---------|--------|
| JOSEPH INFANTE, CHAIR | 2 | X | | | |
| SHERI HUMPHREY, VICE CHAIR | 1 | X | | | |
| KAREN LUKENDA | | | X | | |
| GARY MANNUZZA | | | X | | |
| PETER MATLOSZ | | X | | | |
| DANI ORELIEN | | X | | | |

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| JOANNE PETKOV | | X | | |
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The Board of Commissioners adopted Resolution 2023-22.

Executive Director Ferguson stated that she will retire.

Executive Director Ferguson commented on a change to the Sick Leave Policy and previously accumulated sick leave for part-time employees George Kostrey (76 days) and Thomas Callahan (58.75 days). Mr. Callahan commented on his accumulated sick leave. Chairman Infante stated that the part-time employees will keep what they have accumulated. Mr. Manfredi commented on the Sick Leave Policy. There was a discussion regarding the Sick Leave Policy. The matter will be reviewed by Mr. Manfredi and Mr. Polcari.

ATTORNEY REPORT

Mr. Manfredi reported to the Board on the pending final payment from Zurich American Insurance Company for the settlement of the wall failure case.

COMMISSIONER’S COMMENTS

Commissioner Lukenda commented on the conflict of interest policy and the professional service contracts. There was a discussion regarding the professional service contracts.

Commissioner Orelie commented on transparency and the non-profit management fees.

PUBLIC COMMENTS

Charlie Kratovil commented on the absence of a not-to-exceed limit on the contract for legal services. Executive Director Ferguson stated that she rejected a not-to-exceed amount in the contract because it was not in Manfredi & Pellechio’s proposal. Mr. Manfredi stated that he requested a not-to-exceed amount in his contract, as calculated by Mr. Polcari. Mr. Volpe indicated that the not-to-exceed amount is a budgetary matter and that it is imposed by the contracting unit.

Mr. Kratovil commented on his Open Public Records Act request and the absence of any prior written contracts for Manfredi & Pellechio. Mr. Volpe commented on the procurement process for legal services.

Mr. Kratovil commented on the Housing Authority’s financial condition, the relationship between the Housing Authority and its two affiliated non-profits, and the legal fees paid by the Housing Authority over the past twenty (20) years. Chairman Infante commented on the reason for the increased legal fees.

Tenant Barbara Lewis commented on leadership following Executive Director Ferguson’s retirement.

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

| COMMISSIONER | MOTION/ SECOND | YES | NO | ABSTAIN | ABSENT |
|----------------------------|-------------------|-----|----|---------|--------|
| JOSEPH INFANTE, CHAIR | 2 | X | | | |
| SHERI HUMPHREY, VICE CHAIR | 1 | X | | | |
| KAREN LUKENDA | | X | | | |
| GARY MANNUZZA | | X | | | |
| PETER MATLOSZ | | X | | | |
| DANI ORELIEN | | X | | | |
| JOANNE PETKOV | | X | | | |

The meeting was adjourned at 6:28 p.m.