

STATE OF NEW JERSEY
SECAUCUS HOUSING AUTHORITY
700 COUNTY ROAD
SECAUCUS, NEW JERSEY

May 25, 2023

(This is condensed transcription of taped minutes taken on Thursday,
May 25, 2023, at The Elms, 777 Fifth Street, Secaucus, New Jersey.)

Executive Director Marra introduced Jennifer Schneider of Solar Landscape, who gave a presentation about her company to the Board of Commissioners regarding solar energy after Open Public Meetings Act, Flag Salute, Roll Call, Approval of Minutes and Payment of Claims were completed.

FLAG SALUTE

ED Marra called the Roll Call.

ROLL CALL;

Present: Chairman Michael Harper
Vice-Chairman Antonio Suarez
Commissioner/Treasurer Raj Pardasani
Commissioner John Bujnowski
Commissioner Patricia Mondadori
Commissioner Richard Fairman

Also Present: Executive Director Christopher Marra
Stephen Natoli, Esq.
Deborah L. Alvarez – Secretary/Transcriber

Excused: Commissioner Michael Schlemm

OPEN PUBLIC MEETINGS ACT

"Adequate notice of this meeting, as required by the Open Public Meetings Act, has been provided by the filing of an Annual Meeting Notice with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Government Building, and delivery of same to the Jersey Journal on December 8, 2022.

APPROVAL OF MINUTES OF APRIL 27, 2023 – REGULAR & CLOSED SESSION

Motion to approve Regular Minutes and Closed Session Minutes of April 27, 2023 made by Commissioner Pardasani; 2nd by Commissioner Suarez.

VOTE: AYES/All Present Commissioners (6)

Absent: Schlemm

PAYMENT OF CLAIMS FOR MAY 2023

Motion to approve Payment of Claims made by Commissioner Suarez; 2nd by Commissioner Mondadori.

VOTE: AYES/All Present Commissioners (6)

Absent: Schlemm

(At this point in the meeting, Jennifer Schneider from Solar Landscape, previously Environmental Coordinator for Town of Secaucus, spoke to Commissioners and audience via computer regarding what Solar Landscape has to offer in regards to lowering electricity costs for Secaucus Housing Authority. The State of New Jersey, Board of Public Utilities, controls solar energy in the State of New Jersey. Commissioners had information in their packets regarding Solar Landscape and solar energy as received via email/distributed by ED Marra.

Community solar enabled by Legislation passed in 2018 called Clean Energy Act. Secaucus warehouses are perfect for solar; there are 7 projects located in Secaucus and nearby towns, i.e. Jersey City and Newark. Five projects are specifically in Secaucus boundaries – 2 at 1 County Road – 2.25 megawatts total and 3 along Penhorn Ave – 301/501/601 Penhorn Ave – just over 1.3 megawatts. These are expected to be energized between Sept.-Oct. 2023; has capacity power of over 650 homes, condos and apartments – it is really designed so that everyone has access to financial savings associated with solar energy, even if they don't own their own homes as they're subscribing to a portion of the electricity produced on a remote solar location. System at 1 County Road is producing electricity, sending it back out to the grid, then a resident at perhaps The Towers can subscribe right now to one of those projects. Once it's turned on, they would see a community solar bill credit on their PSE&G bill.

When I was with Town of Secaucus I supported solar in general, letting residents know that it's an opportunity to them and Solar Landscape has been working with several housing authorities: Perth Amboy first, because they had a need situation and their Executive Director was able to change the individual meters for all 60 tenants; able to subscribe all of them and then change their bills, whereas individual meters, residents pay it themselves.

Secaucus would be Solar Landscape's first master meter subscriber, but we're in conversations with Woodbridge, New Brunswick and Camden Housing Authorities. They've also shared (inaudible) for Solar Landscape to analyze their historical usage. We did conduct (inaudible) historical usage for The Elms, specifically The Elms master meter, as if we wanted to enroll individual meters, we would have to ask each tenant that paid their utility bill to subscribe. This is the only way we can do this currently for Secaucus Housing Authority, where SHA would have the ability to subscribe as the HA. The Elms historically uses approximately 1 million KWH/year, which is a lot. Discount rate in partnership with Solar Landscape that we can offer is 25% off the Community Solar Bill Credit a year. What that means is depending on the usage, because it can vary, estimated annual savings is approximately \$5,600 – **lowest**; approximately \$11,200 – **highest**. This is at current credit associated with Community Solar for master meters that PSE&G allocates and the BPU. We are hoping in the permanent Community Solar Program, as it is Pilot Year 1, and Pilot Year 2, so you all try to initially subscribe to a project in year 1 and now we're partnering for more spots that are available in year 2 with those 5 Secaucus projects I mentioned that are going to be turned on in the next few months. In speaking with ED Marra and other housing authority providers, like Affordable Housing Alliance, we are hopeful that the Board will increase the (inaudible) associated with master meters; hoping that that amount would go up for SHA, but for right now at a minimum, it would be between \$5,000 to \$11,000 depending on if your usage fluctuates from what historical analysis showed.

What is needed from SHA is to sign a subscription agreement. This is what Steve Natoli is reviewing and what is required by law and that we ensure that there are no hidden fees to join or to leave, and the agreement stipulates that you can cancel with a 30-day notice; so there's no long-term commitment, which I know people get nervous about when it comes to third-party energies. This is different – community solar is different than third-party energy. Then you would be expected to pay the community solar credit. So you would pay 75% of community solar credit, saving 25% -- that's what the 5-\$11,000 reflects. Then you would be expected by the State's requirements to use these financial savings only for facility improvements. ED Marra outlined a few of those improvements for The Elms in his email yesterday. You would do this through signing an online affidavit, which you had done back in 2019. You would just have to do it again and it's a great time to do it now because in the Permanent Solar Community Program, the BPU is looking like they're going to require that housing authorities and affordable housing providers pass 75% of the financial savings in direct cash benefits to their tenants and 25% would be kept by the utility. We've discussed with SHA and other housing authority providers that this would be difficult, so if you are able to lock into this now, you would be grandfathered in essentially. They wouldn't retroactively change that and make the Secaucus Housing Authority go towards the 75%/25% model.

I know it's a bit confusing, but I just want to be as transparent as possible on what the current state of community solar is because it was the pilot years and what the future projection for the permanent program looks like, but the biggest takeaways are, it would be signing a subscription agreement; signing an _____ affidavit, affirming that you're a low or moderate income housing provider and that you'd use financial savings so that 5-11,000 approximately at the current credit assigned to master meters. So the reason I focus on that is I know we shared the Perth Amboy Housing Authority case study, and that their savings is much higher at the lower percent because we partnered with them in year 1, is because those are all individual meters and the BPU and PSE&G assigns a higher rate to individual meters than they do master meters. We've been advocating for that to change because it's not fair to residents who live in buildings that have master meters and this is something that about a dozen affordable housing providers and housing authority Executive Directors submitted letters to BPU by May 15th. So, it's very recent.

Ms. Schneider in answer to Commissioner Fairman's question of how the owner of the warehouse comes into play: The owners of one of the warehouses say that the system is on Secaucus, the same properties. The same properties are not involved in this aside from Solar Landscape having a lease agreement for 20 years with the same properties where we're renting their rooftop space essentially. So we have an agreement with them to rent their rooftop space, but they otherwise have no involvement in what Secaucus Housing (inaudible) partnering, but you're simply partnering with us through the State's program – Community Solar Program – for the electricity that we're producing and the reason is that a guaranteed savings is because of State and Federal (inaudible) associated with Community Solar and that's all outlined in that Clean Energy Act of 2018 and the BPU Rules.

Commissioner Fairman: What is the deliverables don't materialize, are we harmed in any way and, secondly, how can we get the sharing up on our end? I think are legitimate in an early phase development like this. ED Marra repeated the question to Ms. Schneider due to audible problems – the deliverables – the solar panels don't work or there's a fire up there, the solar panels go up in smoke, what happens then? Is there any harm to SHA?

Ms. Schneider: No harm at all. Let's say there is a lag, you would continue to pay for the credit in the month that they were self-producing electricity at a discounted rate, but if the project ceased to exist because of a natural catastrophe like fire, then you would just revert back to your regular PSE&G bill. The law guarantees that you'll never pay more than you would normally be paying on your utility bill.

Commissioner Suarez: So Solar Landscape comes in, everything is signed and we can move forward; you come in and you're responsible for the install; responsible for the correct or incorrect install of said equipment and a lot of these solar panels needs to be cleaned off over time, do you facilitate maintenance of those over the life of the contract?

Ms. Schneider: Yes, we do. What's unique about Solar Landscape, different from many other solar developers, is that we actually have our operations construction team in-house. So we do everything in-house except for the billing. The billing entity for year 2 project is Arcadia, but yes, our crew is New Jersey based. We are based in Asbury Park here and our full-time staff – operations staff – maintains the systems so that's different than other solar developers where they pay for the initial installed system and they own it and then another entity does their community engagement and subscription. I can't speak for their maintenance, but yes, of course, we maintain them.

Commissioner Fairman: Who controls in governments Jennifer's organization? Is that a State Board or appointed Board?

Ms. Schneider: Yes, the Community Solar Program is regulated by the Board of Public Utilities so any developer cannot just wake up one day and say, I want to make a Community Solar Project in Secaucus. We have to apply during the application period and we have to be selected, so in Year 2 there are over 400 applications and then they selected about 100 of those and we were awarded 46 of those about 100-150. So we have to follow exactly what we applied for to the State and within their rules that they govern, by the State, I mean the Board of Public Utilities.

(7: 20 P.M. - At this point in the meeting, Ms. Schneider left the zoom meeting.)

REMARKS OF CITIZENS

KARLEEN LA SALA - #605 – Is this for The Elms? ED Marra: That specific conversation was only about The Elms, to save money on the utility bill, which no resident pays, but SHA pays, so yes it was for that specific one.

FINANCE

Bank Account Information: Over a 5-month period going from 11/2022 - \$, 4,969,000 and 4/2023 we have \$4,465,000 – about \$500,000 decline. Most revolves around CAPX – amount of money SHA laid out since that time for basically 2 projects – (1) the elevators, which were started in October; their contract calls for \$535,000 – SHA has paid them about \$400,000 (between \$375,000 - \$400,000). In addition, this company billed in December, but Geocon did job for SHA for 1 payment last year, which was installation of apartment entry doors at Rocco Towers. Contract was for \$107,000 - #2. A third one having perhaps a 10% impact on account. Beginning in October 2022, staff was increased: SHA had through October 1st three maintenance men. In October we hired 2 more - \$80,000 plus their benefits (\$40,000 each) in terms of amount of people we have.

Other part is April 1st there's a 3% raise. If you take those, that's contributing towards the decline in funds – not about getting less money from HUD.

Commissioner Pardasani: On 10-month CD, you're getting 3.92%. A lot of money is on 9-month CD.

ED Marra: 9-month CD comes up in June, taking it out; remove some money from Bogota and buy Treasury Bills, which are at 4-5%. That's 2 sums of money each having \$750,000 in it plus, getting about 2.47% so we should get almost double on that; that's June plan. SHA can absolutely buy them that is allowable without going through whole right collateralization of a bank to buying it from U.S. Government. Commissioner Fairman: Account 3 – Payroll Account – large dollar swings every few months? ED Marra: It's taking out payroll, health insurance payments, pension payments and Fran
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Pein will take money from Account 2, put it into Account 3 when she sees it's getting down to \$60,000 – she'll put in \$100,000. That's the account in April where we paid the State our yearly pension payment - \$80,000 – that's why you see that swing back and forth.

SHA's audit is July 25, 26 and 27th. The 27th is Board meeting night; Mr. Policari usually gets people together about 3:00 P.M., gives debrief on audit so we can report on it that night.

PERSONNEL COMMITTEE

Fran Pein's last day of work is May 26, 2023; Tanya Oquendo officially took over the position to be Bookkeeper. We will repost after June 1st for job RESIDENT SERVICES COORDINATOR, which is what job Tanya had.

POLICY COMMITTEE

1. HUD publishes NSPIRE Final Rule. This will be important in about 18 months. SHA does inspections and they're referred to as "Housing Quality Standards – HQS Inspections". We do them in this building, Section 8 and also another inspection called Inspection for Public Housing – which SHA is no longer in. HUD over last 5 years come up with a way to take both inspections and create 1 new protocol, known as NSPIRE. Final Rule issue that provides some more time for comments. All big agencies like NARHO and PHADA are all lobbying HUD to delay this as housing authorities aren't ready for this; software companies aren't ready for this, but most likely in next 12-24 months, SHA will transition from what SHA does now to new protocol – NSPIRE – which you hear about more in the future.
2. At last meeting there was some discussion about **gun policy**. What is in our lease and what is SHA allowed to do. Mr. Natoli wrote a memo, which has been distributed to everybody and we will discuss later in CLOSED SESSION.
3. Smoking Policy – For month of May, I've not had any calls I had to investigate during May. In most cases in other months, I've had a person; I'll attribute it to better weather and other factors – perhaps less smokers in buildings now, but in May no calls were received.

BUILDING & GROUNDS

COMPLETED: Excel Elevator & Escalator modernized equipment at 600 County Road. Permit copies and **final sticker** were sent in Commissioners' packets. Now only TV screen has to be hooked up in elevator. Excel Elevator as part of the contract and part of their cost for next 12 months services elevators and repairs with both labor and materials included. If something breaks down, they fix it and no cost to SHA. We have an option to enter into a 2-year contract with them after that, which rate they proposed in their bid offering was fairly competitive to what Thyssen-Krupp does for SHA, but there is possibility we might stick with Excel. We will monitor that for next year.

Removal and Replacement of EIFs, Windows and Air Conditioner Sleeves

SHA on May 9th received 4 bids for project referenced above. The low bid was \$1,860,000. SHA does not have \$1,860,000. SHA about \$450,000 short – to be discussed in Closed Session re: negotiations and other topics in terms of accessing funding already discussed with Mr. Natoli.

RESOLUTION #2023-17 – SOLAR LANDSCAPE PROPOSAL

If there is not 100% confidence in this being passed tonight, if we wait 30-days SHA will not be hurt in any way; SHA will still make it onto their thing and SHA will do what is needed, SHA not trying to shove this through.

Mr. Natoli: I've had one pass-through of contract; seems like its boilerplate form, but some seems slanted towards solar. In my opinion, we may benefit from me reviewing a little bit further, coming back to the Board and indicating what may be provisions that may would be beneficial for us to amend in some way that they'd be amendable to amending them. I'm okay if the Board wants to move forward tonight (inaudible). Chairman Harper: I'd rather you take the time and look into it. ED Marra: It will be tabled until June.

HOUSING CHOICE VOUCHER PROGRAM (HCVP)

Commissioners have report in their packets from March through May. For the record: Linda Fanning and Angie Oliveros are doing good job on that program; gotten a number of vouchers almost to maximum amount that SHA is allowed to offer, which is 254. They are making sure people are in compliance, which is most important thing.

RESOLUTION #2023-16 – APPROVAL OF THE SUBMISSION OF SECTION EIGHT MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION FORM TO HUD

This is copy of an approval which SHA has to submit each year – SEMAP Report, Section 8 Management Assessment Program to HUD in month of May within 60 days after SHA year closes. Motion and vote needed on Resolution #2023-16.

RESOLUTION #2023-16 FYE ANNUAL SEMAP CERTIFICATION FORM 52648

WHEREAS, pursuant to 24 CFR Sec 985.101, PHAs administering a Section 8 tenant-based assistance program must submit an annual Section 8 Management Assessment Program (SEMAP) Certification within 60 days after the end of its fiscal year; and

WHEREAS, the information from the housing authority concerns the performance of the housing authority and provides assurance that there is no evidence of serious deficient performance; and

WHEREAS, HUD uses the information and other data to assess housing authority management capabilities and deficiencies, and to assign an overall performance rating to the authority; and

WHEREAS, there are fourteen performance indicators: Selection from the waiting list, Reasonable Rent, Determination of Adjusted Income, Utility Allowance Schedule, HQS Quality Control Inspections, HQS Enforcement, Expanding Housing Opportunities, FMR Limit and Payment Standards, Annual Reexaminations, Correct Tenant Rent Calculations, Pre-Contract HQS Inspections, Annual HQS Inspections, Lease-Up, and Family Self-Sufficiency Enrollment, as well as a Deconcentration Bonus Indicator which shall be assessed individually and then combined by the Real Estate Assessment Center (REAC) into the agency's PHAS score for the purposes of identifying management capabilities and deficiencies; and

WHEREAS, HUD's verification of the accuracy of the information reported shall
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determine the authority's capacity to administer Section 8 rental assistance within the Federal law and regulations; and

WHEREAS, PHA's can utilize this assessment to conduct internal audits of their operations and correct identified deficiencies. The results of the assessment can be utilized by a PHA's Board of Commissioners and Executive Director, resident organizations, and the community to understand more comprehensively the PHA's operations; and WHEREAS, the assessment will be based on a certification completed by the office of the Executive Director and submitted covering performance for fiscal year ending March 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the Town of Secaucus, New Jersey, that the SEMAP Management Certification Form HUD-52648 to the Real Estate Assessment Center covering performance measurements for the fiscal year ended March 31, 2023 will be submitted by the Housing Choice Voucher Coordinator no later than May 12, 2023, which is before the deadline of May 31, 2023.

Motion to approve made by Chairman Harper; 2nd by Commissioner Suarez.

VOTE: AYES/All Present Commissioners (6)

Absent: Schlemm

OTHER BUSINESS

Re: Inspections – When ED Marra first got here, man doing Section 8 inspections (Pete Rimassa) retired. Three maintenance men (Harry, Joe and Ronnie Gallo) the ability to take a test, get certified, then they would do inspections and get paid for that. Harry now retired, Joe no longer interested in doing Section 8 inspections, leaving only Ronnie Gallo, who is doing them all right now. With 3 new people having been here 14 months to 8 months – last week we hired Nan McKay, came in, taught the 3 new people plus Linda and Angie and 3 people out of Secaucus who paid to participate in that program; trained for HQS certification. May 15-May 18 and SHA will know within 2 weeks who passed. Once they've passed, we can implement them out to the field to do inspections.

ED Marra received another nice letter from a new tenant (Gary Mongelli/Kroll Heights) addressed to Terry Weinbrecht thanking Terry for her help and appreciating what Terry did for them.

REMARKS OF CITIZENS

MARY ANN SHANNESSY - #308 – What is going on with washers and dryers? ED Marra: In April there were many problems and I wasn't aware that in May there were problems. Machines were removed and that were paid to repair; we will go back, look at how old machines are, if there are 1 or 2 we need to replace. Right now there are 4 washers/4 dryers.

Mary Ann asked if names were moving up on the list for affordable housing. ED Marra said affordable housing list is different than vouchers. They are separate programs: affordable housing – people come along – Harper, Osprey, Exchange – build units and list has nothing to do with SHA and people move up that list to move into units. List hasn't removed tremendously; probably going to send a letter to everyone this summer, reminding them if they're on list and that they have to send us a letter if their number changes. Reality is as of today, there is only 1 more phase of Exchange development left in which they will provide Town of Secaucus with 35 affordable housing units and not all will be 1-bedroom. There will be 1, 2 and 3s – not even finished with 25-story building and it's 2023; probably not done until 2026.

MISCELLANEOUS

**SECAUCUS HOUSING AUTHORITY
RESOLUTION NO. 2023-18
AUTHORIZING EXECUTIVE SESSION**

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Secaucus Housing Authority to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

WHEREAS, the Secaucus Housing Authority has determined that 3 issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance shall be discussed during an Executive Session to be held on May 25, 2023 at 7:45 P.M, and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which **the number** of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

1

“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

_____;

2

“(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.” The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are _____

_____ and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is _____

_____;

WHEREAS, the length of the Executive Session is estimated to be 30 minutes after which the public meeting of the Secaucus Housing Authority shall (circle one) reconvene and immediately adjourn or reconvene and proceed with business.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Secaucus Housing Authority will go into Executive Session for **only** the above stated reasons;

BE IT FURTHER RESOLVED that the Board of Commissioners hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public’s interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion	Estimated Date	Necessary Occurrence
Litigation		
Grant Funding		
Public Safety		

BE IT FURTHER RESOLVED that the Secretary, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will privately discussed.

BE IT FURTHER RESOLVED that the Secretary, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.

Michael Harper, Chairperson

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION APPROVED BY THE BOARD OF COMMISSIONERS OF THE SECAUCUS HOUSING AUTHORITY AT ITS PUBLIC MEETING HELD ON May 25, 2023.

Christopher Marra, Secretary

– made by Chairman Harper; 2nd by Commissioner Suarez.

VOTE: AYES/All Present Commissioners (6)

Absent: Schlemm