

**REGULAR MEETING  
HOUSING AUTHORITY OF THE CITY OF TRENTON  
HELD WEDNESDAY, April 15, 2020 12:00 PM  
ADMINISTRATION BUILDING, 875 NEW WILLOW STREET**

The meeting was called to order by Chairman, Clifton Anderson, who announced it was to be noted in the Book of Minutes that the required 48 hours' notice of this meeting was mailed to the offices of *The Times*, the *Trentonian* and the Clerk of the City of Trenton, as well as, having been posted in the main entrance of the Housing Authority in accordance with the New Jersey Open Public Meetings Law also known as the Sunshine Law.

**ROLL CALL**

**PRESENT:** Gary Gentry, Kim Taylor, John C. Raines, Shenette Gray, Clifton Anderson, Commissioners; and Jelani B. Garrett, Secretary/Executive Director

**LATE:**

**ABSENT:** Lee Ingram, Nikesia Dotts, Commissioners

Chairman Anderson stated that Commissioner Ingram informed him that he may not be able to attend due to his work schedule. Commissioner Taylor asked if Mr. Wright was present. Grant Wright, Legal Counsel stated he was present.

**Also Present:** Grant Wright, Hill Wallack, LLP; Clifford Godfrey, Deputy Executive Director; Latrice Leggett, Finance Director; Chrysti Huff, Redevelopment Project Manager; Pamela Brooks, Resident Services Manager; Darren "Freedom" Green, Community Liaison; Francine Nalbone, Human Resources Specialist.

Chairman Anderson asked for a motion to adopt the agenda. Commissioner Raines moved the motion to adopt the agenda for April 15, 2020; the motion was seconded by Commissioner Gray and upon roll call the motion carried as follows:

	<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAINS</u></b>
Commissioner Gentry	1		
Commissioner Gray	1		
Commissioner Raines	1		
Commissioner Taylor	1		
Chairman Anderson	1		
<b>Total</b>	<b>5</b>	<b>0</b>	<b>0</b>

Chairman Anderson stated next is the approval of the minutes for the Regular Meeting held on March 11, 2020. Chairman Anderson then asked for a motion to move the minutes. Commissioner Gentry moved the motion for approval of the minutes; Commissioner Raines seconded the motion. Chairman Anderson

asked if there were any questions, seeing there were none he asked for the roll to be called and upon roll call the motion carried as follows:

	<u><b>AYES</b></u>	<u><b>NAYS</b></u>	<u><b>ABSTAINS</b></u>
Commissioner Gentry	1		
Commissioner Gray	1		
Commissioner Raines	1		
Commissioner Taylor	1		
Chairman Anderson	1		
<b>Total</b>	<b>5</b>	<b>0</b>	<b>0</b>

Minutes Approved.

Chairman Anderson then asked for the report of the Secretary.

Jelani B. Garrett, Executive Director/Secretary, stated that there were two (2) resolutions on the agenda today, the first being disbursements for the month of March 2020.

Chairman Anderson stated he would take a motion for Resolution 20-15. Commissioner Raines moved the motion and Commissioner Gray seconded the motion. Chairman Anderson asked if there were any questions. Seeing there were none, he asked for the roll to be called and upon roll call the motion carried as follows:

<u><b>RESOLUTION 20-15</b></u>			
	<u><b>AYES</b></u>	<u><b>NAYS</b></u>	<u><b>ABSTAINS</b></u>
Commissioner Gentry	1		
Commissioner Gray	1		
Commissioner Raines	1		
Commissioner Taylor	1		
Chairman Anderson	1		
<b>Total</b>	<b>5</b>	<b>0</b>	<b>0</b>

Resolution Passed.

Jelani B. Garrett, Executive Director/Secretary, introduced Resolution 20-16 authorizing the Executive Director to enter into a shared agreement with the City of Trenton. He stated that this resolution grew out of a relationship with the Department of Housing and Economic Development for the City. They were looking at a couple of buildings under the City's control and wanted to enter into a shared service agreement with the Housing Authority to make those buildings into emergency Covid housing centers, residential shelter buildings. It would essentially be the Housing Authority providing labor services for general maintenance and cleanup with a ten percent (10%) management fee and a ten percent (10%) mark up on supplies purchased in connection with this particular project. It may or may not happen, but this is

something the City wanted to put into place. It has actually been approved by City Council and today, I am asking the Board to approve a Shared Service Agreement between the City and the THA to provide cleaning repair and maintenance to the City for City owned buildings.

Grant Wright, Legal Counsel asked to make a comment. Grant informed the Board that he forwarded revisions to the Executive Director late yesterday and the tardiness was solely on him. The revision didn't change any substantive change they were all grammatical with the exception of the arbitration clause which needs to be the intent of the parties to waive any litigation in the event of the dispute but did not specifically state it. In the revision sent, my recommendation is to include a sentence or two that both parties agree to waive any judicial intervention other than any type of injunction restraints otherwise both parties waive their right to a civil action. That is the only substantive revision I had to the form Francine sent out about a week ago or so.

Commissioner Taylor stated she had a question. She asked if the change was due to the possible exposure of COVID to our employees.

Grant Wright, Legal Counsel, stated no it is solely for the purpose of making clear the arbitration process because in the State of New Jersey, the way the Courts interpret an arbitration clause is the party that originates the contract, which seems to be us at this point, is bound by it and it has to explicitly waive any right to judicial intervention or else the other party retains the right to bring a civil action for damages or remuneration. So, it is the intent of the arbitration clause in the Shared Services Agreement was to waive any litigation whatsoever, but my only recommendation was to make that explicit.

Commissioner Gray asked if this was just for Covid or is this going to be an ongoing partnership and just for clarification, the houses for temporary shelter are these like homeless shelters or are these for families and will be responsible for the management of these properties.

Jelani B. Garrett, Executive Director/Secretary stated that this is for one specific building but we took a team over there and looked at the building and it is a residential apartment building that is empty so the City basically wanted to get it prepared in case they needed extra beds for Covid. We would not be coming in contact with any people; we will go in clean it up, do the light maintenance and painting to get it prepared. However, it is a year long shared service agreement so it could extend to other City owned properties, but it is not for management it is just for cleaning, maintenance, and repair services.

Commissioner Raines made a motion to move the resolution with recommendations from Board Counsel. Commissioner Gray seconded the motion. Chairman Anderson asked if there were any questions.

Commissioner Taylor asked if the \$150,000 was a one-time fee or a fee that will be drawn down from based on what we do.

Jelani B. Garrett, Executive Director/Secretary, stated that we will invoice monthly with the actual labor that was done as well as the administrative fee and the materials purchased in connection with it as well as the 10% mark-up on the materials.

Commissioner Taylor asked about the fees shown for the thirteen (13) employees and wanted to know if that included the 10% mark-up.

Jelani B. Garrett, Executive Director/Secretary, stated those are the actual rate at time and one-half. You will bill the rate than add the 10% to the sum of that for our administrative fee.

Commissioner Taylor asked Grant Wright, Legal Counsel if he was looking for the amendment to be another Article or added to Article 10.

Grant Wright, Legal Counsel, stated it should be added to Article 10.

Commissioner Taylor then asked about Article 15 where it talks about hiring or employment, is that a clause to prevent our employees from being taken by the City of Trenton.

Jelani B. Garrett, Executive Director/Secretary, stated that THA is an independent contractor and is in no way an active agent or employee of the City. He then asked which particular article she was referring to.

Commissioner Taylor stated Article 15, Subsection A

Commissioner Taylor then asked how does this comport to the Governor's directives.

Jelani B. Garrett, Executive Director/Secretary stated he wasn't sure he understood the question.

Commissioner Taylor said meaning only essential personnel is supposed to be working at this time. Is this agreement in any way in conflict with the Governor's directive.

Commissioner Raines stated that when this pandemic started maintenance were classified as essential personnel.

Commissioner Taylor said we are talking about our employees doing something for someone else so that is why I am questioning it. They are not working for the Housing Authority directly but for another entity.

Commissioner Gentry stated there was no conflict because affordable housing and emergency housing are exempt from the Governor's order.

Jelani B. Garrett, Executive Director/Secretary, stated they would actually be working in connection with Covid. The address of the building is actually 127 Academy Street. The City's purpose is to prepare it to potentially be a shelter for folks in case the pandemic got worse in Trenton and they needed that building.

Chairman Anderson asked if there were any more questions. Seeing there were none, he asked for the roll to be called and upon roll call the motion carried as follows:

**RESOLUTION 20-16**

	<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAINS</u></b>
Commissioner Gentry	1		
Commissioner Gray	1		
Commissioner Raines	1		
Commissioner Taylor	1		
Chairman Anderson	1		
<b>Total</b>	<b>5</b>	<b>0</b>	<b>0</b>

Resolution Passed.

Jelani B. Garrett, Executive Director/Secretary, stated that concludes the resolutions. I would like Pam Brooks, Resident Services Manager, to provide a brief update on some of the partnerships and what they are doing in connection with Covid and the services being offered to residents.

Pam Brooks, Resident Services Manager, state we several partnerships that we have partnered with. I will go ahead and list them and then at the end if you have any questions, I will answer them.

We are partnering with the City of Trenton. They are providing 40 meals everyday Monday through Friday, to our three (3) senior buildings. They deliver them and the meals are placed in the community rooms. The residents were informed that the meals are there, and it is on a first come first serve basis and we are in our 3<sup>rd</sup> week of that process.

We are also partnering with the Capital Area YMCA. They are bringing over a breakfast and lunch every day, Monday through Friday. They, meaning their staff, sit outside of the Administration building each day from 12 to 2, rain or shine, and in each bag, there is one(1) lunch and one (1) breakfast. They are also in their 3<sup>rd</sup> week.

We have also partnered with two (2) churches, Shiloh Baptist and Princeton Alliance, and they have provided breakfast and lunches to the residents of Prospect Village and Wilson-Haverstick Homes. We sent letters to the residents informing them that they would be coming and the dates that they would be there. I went over and participated, and it was a great success. And then, last week Princeton Seminary had 300 lunches and they went over to Prospect Village and Wilson-Haverstick and distributed those lunches. Just so you know, this is in addition to what the Department of Education is doing. We already have breakfast and lunches being distributed from the area schools.

Another partnership that we just partnered with today is Arm & Arm, they will be providing 50 pre-packaged perishable meals and 50 pre-packaged non-perishable bags to our Abbott building and they will be delivering those today.

In our partnership with Senator Shirley Turner and Mayor Reed Gusciora, they will be taking over masks to the residents of French Towers and that will be happening at 3:30 today. Also, Assemblyman Verrelli and Assemblywoman Verlina Reynolds-Jackson will be providing the residents of Josephson and Abbott Apartments with mask and that will take place today or tomorrow.

Commissioner Raines said that was a very good list and asked if she could email the list that she provided today to them just in case they get any questions from the community.

Pam Brooks stated she would get that email out and she also informed them that she stays in communication with Ruth Carter at least twice per week to make sure that those services are continuing. Pam stated that we have a great partnership with these partners, and they stay in communication.

Commissioner Taylor asked Ms. Brooks how we are doing with the census.

Pam Brooks stated that we had partnered with Ed Gittens, Chief of Staff for Assemblywoman Renyolds-Jackson to assist residents with completing the census forms. The meetings were supposed to take place between March 16<sup>th</sup> and May 16<sup>th</sup> however, right before the first scheduled meeting, we had to shut down all of our facilities so we have not been able to provide assistance in person through that partnership. We have had residents who called us asking for help and Tonya Grant or myself have been able to walk them through the process. We have not been able to help with the process the way we had intended.

Jelani B. Garrett, Executive Director/Secretary, further with respect to Covid, we are still on an abbreviated day work until 1:00 p.m. We recently received a HUD notice providing guidance on administrative requirements, relaxing certain administrative requirements and due dates. We are also looking at other Housing Authorities in developing a Business Continuity Operating Plan in connection with this. We are working on that. Just as a brief on that, we have not allowed any visitors to our senior buildings to protect that population, we actually had to close the community rooms as well just to try to comply with the social distancing and we are not doing any move-ins at the senior buildings until this lifts just to protect our vulnerable population. There are a number of other things we are working on because we still have to conduct business. We have to do income verifications so we are working on a way that we can do that and address the social distancing and make sure our employees are safe. Also, Mr. Godfrey is on the call every week with the Trenton Health Team for any updates, we are staying abreast of webinars with Public and Indian Housing and there is another one on Friday. So, our staff is stay abreast of this so we can pass on any information to our residents to help ease the situation.

That concludes the secretary's report.

Commissioner Raines stated he would send out a link this afternoon from the NJ Department of Labor. It enhances how to file for unemployment. They are getting a million of calls a week. He stated that he has fielded some of those calls from residents of the Housing Authority and directed them. I will send out the link letting you what is going on, how they enhanced it, and how they are trying to get everybody the additional \$600 as I am sure it impacts some of our residents.

### **NEW BUSINESS**

Chairman Anderson asked if there was any new business.

Commissioner Taylor directed a question to Grant Wright, Legal Counsel. She stated she had questions regarding some procedural things that she would like to inquire about. First, I would like to thank the Chairman and Commissioner Gray for the hard work that they did on a recent project they partook of but she had questions about the procedure because our past legal representation always made a statement that we could not take votes without only from the \_\_\_\_\_. She then asked Grant Wright, Legal Counsel if he was aware of the recent straw vote that they took.

Grant Wright, Legal Counsel, asked in regard to what?

Commissioner Taylor stated we named the new development, changed the name for Page homes. She said she just want to make sure that the hard work that was done doesn't go in vain and that the Board can move forward on this but 1) the poll was taken outside of an Executive Session and 2) was the straw vote that was taken and the votes cast enough to move forward on the item or does it have to be brought to an open public meeting for a discussion and a vote.

Grant Wright, Legal Counsel, stated that votes by the Board can not be done in an Executive Session. You still have to have a formal operation if it is going to be a formal action taken by the Housing Authority.

Jelani B. Garrett, Executive Director/Secretary stated that we plan to prepare a resolution.

Commissioner Taylor stated that you plan to prepare a resolution, but I still have two (2) questions. The straw poll that was taken, can we even move forward on that since an Executive Session was called for a straw poll.

Grant Wright, Legal Counsel, stated you can not move forward on a straw poll. A straw poll is just asking everybody what their opinion is.

Commissioner Taylor then asked so to move forward on this, we would have to have a discussion in an open public meeting, take a vote in open public meeting, and then a resolution can be done and brought back to the Board in an open public meeting to be voted on.

Grant Wright, Legal Counsel, stated he didn't know that that procedure had to necessarily be taken in place. You can have a resolution and ask questions on a resolution when it is open for questions at an open public meeting.

Commissioner Taylor said okay then we can do the resolution and then vote.

Grant Wright, Legal Counsel, stated you can have the discussion at the same time and then the resolution can be voted on if there are no substance to changes after the discussion.

Commissioner Taylor then asked this resolution can be done just as a directive to the Executive Director; it does not have to come out of an Executive discussion from the Board.

Grant Wright, Legal Counsel stated no it doesn't.

Chairman Anderson asked Commission Taylor for clarification are you saying what we did is not legal.

Commissioner Taylor stated she never used the word legal. It is about it being procedurally correct. I want to make sure that all the work she did to put this together to get a result is actually something we could move forward on. She said the first question she asked was the straw poll that we took correct operational procedures in order to move forward for a resolution. The answer was we didn't need to have an Executive Session to do the straw poll; we could just come together as a Board to give direction to the Executive Director to do a resolution so that it can be brought to an open public meeting for a discussion by the Board and we could then publicly vote. In the past, we had always been told that discussion we had in an Executive meeting even if we took a vote was only a straw vote meaning it doesn't hold any validity or strength going forward. We still have to come together in an open public meeting to vote in order to move the agenda forward. So, Mr. Wright is saying the only thing we have to do to move this forward is have a resolution drafted, put on the agenda, brought before the Board then we discuss it and we vote on it. If it passes it is done.

Chairman Anderson said okay fully understood.

### **REPORT FROM THE CHAIR**

Commissioner Anderson stated he received communication from the City Council President asking what the Housing Authority was doing in accordance to Covid. Since we received this report from Pam, I will pass the information on to her. Thank you, Pam, you make my job easier.

**PUBLIC COMMENT**

There was no public in attendance.

Chairman Anderson called for a motion to adjourn the meeting. Commissioner Raines moved the motion, Commissioner Gray seconded the motion and upon a voice vote the motion carried as follows:

	<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAINS</u></b>
Commissioner Gentry	1		
Commissioner Gray	1		
Commissioner Raines	1		
Commissioner Taylor	1		
Chairman Anderson	1		
<b>Total</b>	<b>5</b>	<b>0</b>	<b>0</b>

Meeting was adjourned at 12:40 p.m.

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Jelani B. Garrett.

Board of Commissioners  
Housing Authority  
of the  
City of Trenton