

RESOLUTION #	<u>04-01-2017</u>
DATE	<u>04-17-2017</u>
ITEM #	<u>#2</u>

**APPROVAL OF THE LONG BRANCH HOUSING
AUTHORITY LIST OF BILLS**

WHEREAS, the Commissioners of the Housing Authority of the City of Long Branch convened in a Regular Meeting on April 17, 2017 and

WHEREAS, said Commissioners accept and approve payment of the bills for the month of April 2017 the amounts are as follows:

1.	Regular List of Bills	\$	216,455.94
2.	Payroll	\$	284,959.00
3.	Additional Matters	\$	-0-
4.	HMFA Bonds	\$	-0-
5.	Maestro	\$	34,051.01
6.	Hope VI	\$	-0-
7.	Wire Transfers	\$	-0-
8.	Housing Vouchers/F.S.S.	\$	736,876.00
9.	F.S.S. Escrow	\$	-0-
10.	Shore Point	\$	-0-

TOTAL FOR THE MONTH OF APRIL, 2017 \$ 1,272,305.95

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of Long Branch that they accept and approve the amounts stated above for the month April, 2017 of List of Bills.

ADOPTED: _____ 4/17/17
SECRETARY **DATE**

DONALD COVIN, CHAIRMAN

CARL JENNINGS, VICE-CHAIRMAN

ABSENT **MICHAEL WINNICK, COMMISSIONER**

Yvonne Russell-Mann **YVONNE RUSSELL-MANN COMMISSIONER**

ABSENT **DORTHIA JOHNSON, COMMISSIONER**

ABSENT **ANDRES MEJER, COMMISSIONER**

Maritza Berrios **MARITZA BERRIOS, COMMISSIONER**

RESOLUTION #	04-02-2017
DATE	04-17-2017
ITEM #	#3

RESOLUTION AUTHORIZING THE PURCHASE OF BIOMETRIC SOFTWARE, EQUIPMENT, AND RELATED SERVICES UNDER COOPERATIVE PURCHASING AGREEMENT FOR LBHA SENIOR SITES KENNEDY TOWERS AND CHESTER ARTHUR APARTMENTS

WHEREAS, the Long Branch Housing Authority is a duly organized entity operating and existing under the laws of the United States and the State of New Jersey; and

WHEREAS, the Long Branch Housing Authority has solicited and received quotations for said services and equipment for which GSA contracts have been issued pursuant to Public Law 110-248; and

WHEREAS as per Public Law 110-248 the Local Preparedness Acquisition Act, amended the "Cooperative Purchasing" provisions of the Federal Property and Administrative Services Act to allow the Administrator of General Services to provide states and localities access to certain items offered through GSA's Federal Supply Schedule 84; and

WHEREAS, the Long Branch Housing Authority is desirous of entering into a Cooperative Purchasing Agreement with Securityhunter, Inc. with a principal place of business at 7249 Ambassador Rd. Baltimore, Maryland 21244 the provision of said goods and services under Public Law 110-248, after careful review of Securityhunter, Inc. qualifications and references;

WHEREAS, sufficient funds have been certified by the Chief Financial officer of the Long Branch Housing Authority from the ARRA/CFP Funds for this purpose; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Long Branch Housing Authority, that a contract be awarded without competitive bidding, in accordance with N.J.S.A. 40A:11-12.b et seq to Securityhunter, Inc. at 7249 Ambassador Rd. Baltimore, Maryland 21244 for in an amount not to exceed \$73,599.11 for the provision of the said software and equipment and such related services as are necessary for the installation, maintenance and use of said system, in a form acceptable to legal counsel.



Tyrone Garrett, Secretary

4/17/17

Date



Donald Covin, Chairman

PHA Board Resolution
Approving Operating Budget

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing -
Real Estate Assessment Center (PIH-REAC)

RESOLUTION #	04-03-2017
DATE	04/17/2017
ITEM #	#4 (exp. 12/31/2012)

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 6(c)(4) of the U.S. Housing Act of 1937. The information is the operating budget for the low-income public housing program and provides a summary of the proposed/budgeted receipts and expenditures, approval of budgeted receipts and expenditures, and justification of certain specified amounts. HUD reviews the information to determine if the operating plan adopted by the public housing agency (PHA) and the amounts, are reasonable, and that the PHA is in compliance with procedures prescribed by HUD. Responses are required to obtain benefits. This information does not lend itself to confidentiality.

PHA Name: Long Branch Housing Authority

PHA Code: NJ008

PHA Fiscal Year Beginning: June 1, 2017

Board Resolution Number:

Acting on behalf of the Board of Commissioners of the above-named PHA as its Chairperson, I make the following certifications and agreement to the Department of Housing and Urban Development (HUD) regarding the Board's approval of (check one or more as applicable):

DATE


- Operating Budget approved by Board resolution on: 04/17/2017
- Operating Budget submitted to HUD, if applicable, on:
- Operating Budget revision approved by Board resolution on:
- Operating Budget revision submitted to HUD, if applicable, on:

I certify on behalf of the above-named PHA that:

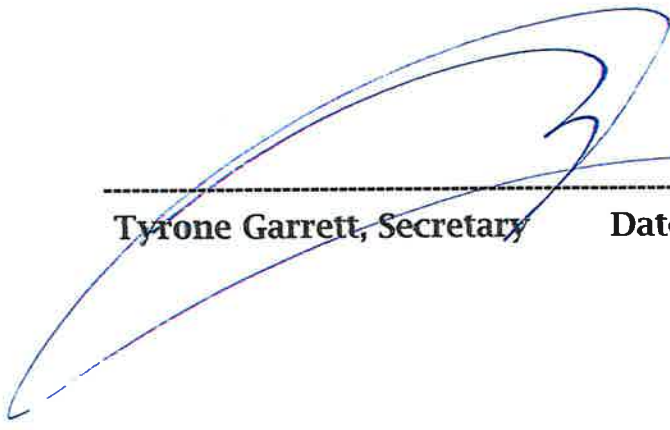
1. All statutory and regulatory requirements have been met;
2. The PHA has sufficient operating reserves to meet the working capital needs of its developments;
3. Proposed budget expenditure are necessary in the efficient and economical operation of the housing for the purpose of serving low-income residents;
4. The budget indicates a source of funds adequate to cover all proposed expenditures;
5. The PHA will comply with the wage rate requirement under 24 CFR 968.110(c) and (f); and
6. The PHA will comply with the requirements for access to records and audits under 24 CFR 968.110(i).

I hereby certify that all the information stated within, as well as any information provided in the accompaniment herewith, if applicable, is true and accurate.


Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012.31, U.S.C. 3729 and 3802)

Print Board Chairperson's Name: Donald Covin	Signature: 	Date: 4/17/17
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RESOLUTION #	04-03-2017
DATE	04-17-2017
ITEM #	#4



Tyrone Garrett, Secretary Date 4.17.17




Donald Covin, Chairman



Carl Jennings, Vice-Chairman

ABSENT

Michael Winnick Commissioner




Yvonne Russell-Mann Commissioner

ABSENT

Dorthia Johnson, Commissioner

ABSENT

Andres Mejer Commissioner



Maritza Berrios, Commissioner

2017 HOUSING AUTHORITY BUDGET RESOLUTION

Long Branch
(Name)

RESOLUTION #	04-04-2017
DATE	04-17-2017
ITEM #	# 5

FISCAL YEAR: FROM: 07/01/2017 TO: 06/30/2018

WHEREAS, the Annual Budget and Capital Budget for the Long Branch Housing Authority for the fiscal year beginning, 7/1/2017 and ending, 06/30/2018 has been presented before the governing body of the Long Branch Housing Authority at its open public meeting of 4/17/2017; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 17,165,399 , Total Appropriations, including any Accumulated Deficit if any, of \$ 16,844,317 and Total Unrestricted Net Position utilized of \$ 320,802 ; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 988,344 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$ 0 ; and

WHEREAS, the schedule of rents, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Long Branch Housing Authority, at an open public meeting held on 4/17/2017 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Long Branch Housing Authority for the fiscal year beginning, 7/1/2017 and ending, 6/30/2018 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Housing Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

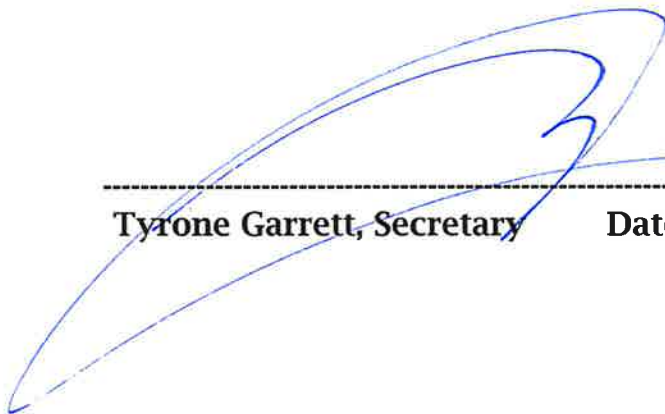
BE IT FURTHER RESOLVED, that the governing body of the Long Branch Housing Authority will consider the Annual Budget and Capital Budget/Program for adoption on 5/15/2017 .

(Secretary's Signature)








4.17.17
(Date)

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Carl Jennings	X			
Donald Covin	X			
Michael Winnick				X
Maritza Berrios	X			
Yvonne Russell-Mann	X			
Dorthia Johnson				X
Andres Mejer				X

RESOLUTION #	04-04-2017
DATE	04-17-2017
ITEM #	#5

 4.17.17

Tyrone Garrett, Secretary Date

	Donald Covin, Chairman
	Carl Jennings, Vice-Chairman
	Michael Winnick Commissioner
	Yvonne Russell-Mann Commissioner
	Dorthia Johnson, Commissioner
	Andres Mejer Commissioner
	Maritza Berrios, Commissioner

04-05-2017

**RESOLUTION REGARDING TERMINATION / MODIFICATION OF
EXISTING KENNEDY TOWER ROOF-TOP LEASES**

WHEREAS, the Long Branch Housing Authority is a duly organized Housing Authority, operating and existing in accordance with the Rules and Regulations of the United States of America, State of New Jersey, and the City of Long Branch; and

WHEREAS, the Housing Authority is the owner / operator / manager of the Kennedy Tower Complex, located within the confines of the City of Long Branch; and

WHEREAS, pursuant to prior action, Housing Authority Officials have authorized the execution of various non-exclusive roof-top leases with various communication companies for the installation of cell phone and related antennae / equipment; and

WHEREAS, pursuant to the above, two of the current leases are as follows:

- A. **Long Branch Housing Authority to T-Mobile**
- B. **Long Branch Housing Authority Metro PCS**

WHEREAS, there are several on-going developments associated with the aforesaid lease arrangements which have caused both lease arrangements to be reviewed / examined; and

WHEREAS, some of the aforesaid developments / issues include, but not are not limited to, the following:

- A. **Long Branch Housing Authority to T-Mobile Lease**
 - There is a current need for the Long Branch Housing Authority to replace the existing Kennedy Tower roof;
 - In order for the Kennedy Tower roof to be replaced, T-Mobile will need to temporarily relocate its roof-top equipment, which T-Mobile representatives estimate will cost approximately \$180,000.00;
 - T-Mobile Officials are reluctant to exclusively absorb such a \$180,000.00 cost;

04-05-2017

- Long Branch Housing Authority Officials have, essentially, claimed that T-Mobile equipment may have caused or otherwise contributed to, the need for the Kennedy Tower roof to be replaced;
- T-Mobile Officials have denied the aforesaid negligence claims of the PHA;

B. Long Branch Housing Authority to Metro PCS

- T-Mobile has assumed the Metro PCS lease obligations (effective approximately 3 years ago);
- T-Mobile (as apparent Successor in Interest to Metro PCS) maintains that pursuant to the lease terms, the said lease can be terminated if, in the sole discretion of the Tenant, the facility is no longer needed;
- T-Mobile (as Successor to Metro PCS) has verbally advised that the Metro PCS Lease is no longer needed / suitable (as a result of the fact that there is already a T-Mobile Lease in effect which will service the needs of the Tenant);

WHEREAS, Housing Authority Officials and T-Mobile Officials have communicated with each other in an attempt to amicably resolve all outstanding differences / issues; and

WHEREAS, general settlement terms include the following:

- A. The immediate termination of the Long Branch Housing Authority to Metro PCS Lease (presumably upon 30 days);
- B. T-Mobile Officials arranging for the immediate / prompt removal of the existing Metro PCS equipment;
- C. T-Mobile Officials agreeing to temporarily relocate the T-Mobile equipment from the roof (at T-Mobile cost), so that the existing roof can be replaced;
- D. T-Mobile equipment being returned to the roof-top (with an additional 1 extra sector, from the currently existing Metro PCS Lease);
- E. T-Mobile to continue its existing Landlord-Tenant roof-top Lease arrangement with the LBHA (at the same payment, despite the fact that there will 1 more sector added to the Lease);
- F. That the existing LBHA-T-Mobile Lease shall be modified so as to include the following:

04-05-2017

- That nothing contained in the Lease shall permit T-Mobile Officials to compromise the to-be-replaced Kennedy Tower roof, or otherwise compromise any warranty / guarantee associated therewith;
- That T-Mobile shall only allow for the installation, re-installation, and attaching of its equipment in a manner which is specifically reviewed and approved by Long Branch Housing Authority officials;
- That T-Mobile Officials shall arrange for the to-be-relocated equipment to be placed on a roof curb (as opposed to directly upon the Kennedy Tower roof), so as to better protect the integrity of the roof, and so as to allow water to appropriately drain, etc. (i.e. the Long Branch Housing Authority contractor shall install a roof curb, but T-Mobile Officials shall provide the design specifications for the same);
- That T-Mobile Officials shall, at T-Mobile cost, arrange for its equipment to be relocated in the future if Long Branch Housing Authority Officials need to further replace the roof, effectuate any other necessary roof repairs, or effectuate any other building repairs (which reasonably require the temporary relocation of such equipment);
- That LBHA Officials shall not unreasonably require T-Mobile Officials to temporarily relocate equipment unless the same is necessary to reasonably effectuate any necessary roof repairs / replacement / building repairs;
- That, if required, the parties shall sign a Release officially releasing each other from potential liability (with respect to the existing Lease, and/or any breach associated therewith);
- To include such other commercially reasonable terms and conditions as required by the Long Branch Housing Authority and/or its Officials/ Professionals / Representatives;
- To confirm that the aforesaid terms and conditions shall be applicable to the parties, and any Successors in Interest thereto;
- To include a provision that the Lease arrangement shall, in all respects, comply with prevailing HUD regulations and prevailing provisions of New Jersey State Law;

04-05-2017

WHEREAS, Housing Authority Officials believe that such a Settlement is reasonable under the circumstances; and

WHEREAS, such a Settlement / Lease modification will allow the Kennedy Tower roof replacement project to be effectuated; and

WHEREAS, it is believed that such a Settlement and execution of the aforesaid Lease amendments will be in the best interests of the Housing Authority and its residents;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Long Branch Housing Authority as follows:

1. That the Long Branch Housing Authority is hereby authorized to a) consent to the termination of the current LBHA - Metro PCS Kennedy Tower Roof-Top Lease;
2. Modification of the existing T-Mobile Lease so as to include one additional sector (at no cost).
3. That the Long Branch Housing Authority Executive Director, Chair, Attorney, and other authorized representatives are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution – including any Lease / Lease Rider / Release substantially consistent with the information set forth herein.
4. That the within Resolution shall, in all respects, comply with prevailing HUD regulations and prevailing provisions of New Jersey Law.
5. That the within Resolution shall take effect immediately.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Long Branch Housing Authority on this 17th day of April, 2017.





Tyrone Garrett, Executive Director

Legal Counsel Kennedy Brought Resolution to Meeting
listed on Agenda as Potential Resolution.

Present: 4/17/17

04-05-2017

 Donald Covin, Chairman
Carl Jennings, Vice Chairman
Myra Russell-Mann & Vonne Russell-Mann, Commissioner
Marta Bero Maritza Berrios, Commissioner
 CARL F. JENNINGS, Commissioner

4/17/17

 TYRONE GARRETT
TYRONE GARRETT, Secretary

Absent: 4/17/17

Michael Wyrnick, Commissioner
Andrew Meyer, Commissioner
Dortna Johnson, Commissioner