

NBHA RESOLUTION 2017 – 4/26 # 7

**HOUSING AUTHORITY OF THE CITY OF NEW BRUNSWICK
ACTING AS REDEVELOPMENT AGENCY**

**Resolution Approving a Redevelopment
Agreement with Cultural Center
Redevelopment Associates Urban Renewal
LLC for a Mixed Use Project in the Cultural
Center Redevelopment Area**

WHEREAS, the Housing Authority of the City of New Brunswick Acting as the City of New Brunswick Redevelopment Agency (“Redevelopment Agency”), pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-21, may exercise all powers, duties and functions relating to redevelopment in the manner of a redevelopment entity under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., which powers include contracting with redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work under N.J.S.A. 40A:12A-8.f; and

WHEREAS, on or about February 1, 2017, by Ordinance #O-011701, the City Council of the City of New Brunswick adopted a redevelopment plan for the Cultural Center+ Redevelopment Area (“Redevelopment Plan”), which Redevelopment Plan encompasses an area consisting of Block 12, Lots 23.01, 15.01, and Lot 13.01, as shown on the tax maps of the City of New Brunswick (the “Project Site”); and

WHEREAS, the Authority by Resolution (duly adopted No. 2017-222 dated February 22, 2017) approved the designation of Cultural Center Redevelopment Associates Urban Renewal LLC, a New Jersey limited liability company operating as an urban renewal entity (“Cultural Center” or “Redeveloper”), to be designated redeveloper of the Project Site (as defined below) for the purpose of developing a mixed use tower consisting of two state-of-the-art theaters and accompanying rehearsal and office space, approximately 207 residential units including an affordable component and approximately 31,700 square feet of office space; with all of the above referred to as “Theater Tower” and a separate structure consisting of approximately 350 parking spaces in a structured parking garage with approximately 4,250 square feet of separately demised ballet rehearsal space, with the preceding to be known as the “Parking Facility” (collectively, the “Project”); and

WHEREAS, Special Counsel for the Redevelopment Agency has prepared and negotiated with Redeveloper a proposed Redevelopment Agreement, a form of which is attached to this Resolution, setting forth the terms and conditions by which Redeveloper will carry out the Project; and

WHEREAS, the Commissioners of the Redevelopment Agency have considered the proposed form of Redevelopment Agreement, finding that it furthers the Redevelopment

Agency's interest in carrying out the Redevelopment Plan and is consistent with the public purposes that the Redevelopment Plan addresses.

NOW, THEREFORE, BE IT RESOLVED by the Housing Authority of the City of New Brunswick, acting as Redevelopment Agency, that


1. The proposed form of Redevelopment Agreement is approved in substantially the form attached hereto.

2. The Chairperson or, in the Chair's absence, the Vice Chairperson, is authorized to execute the Redevelopment Agreement in substantially the form attached hereto, along with any other documents and/or agreements necessary to implement the Redevelopment Agreement in accordance with the Redevelopment Plan.


3. The Chairperson or, in the Chair's absence, the Vice Chairperson, is authorized to execute future amendments to the Redevelopment Agreement that may be necessary to carry out the intent of the Redevelopment Agreement and which do not materially increase the Redevelopment Agency's obligations or decrease its rights under the Redevelopment Agreement.

4. This resolution shall take effect immediately.

Passed on this 26th day of April 2017 (See attached Vote Box)



YIRGU WOLDE, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2017 - 4/26 # 7

**Resolution Approving a Redevelopment
Agreement with Cultural Center
Redevelopment Associates Urban Renewal
LLC for a Mixed Use Project in the Cultural
Center Redevelopment Area**

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
OTERO			✓			
JONES		✓	✓			
GIORGIANNI						✓
CALDWELL			✓			
VACANT						
OVANDO	✓		✓			
CHAIRPERSON WOLDE			✓			

NBHA RESOLUTION 2017 - 4/26 # 8

Resolution Ratifying, Authorizing and Approving Payment of Bills for the Month of February, 2017

WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the "Housing Authority"), was duly created as an agency and instrumentality of the municipality of the State (the "Local Unit") in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the "Local Housing Law");

WHEREAS, the Executive Director, Director of Operations and Finance Administrator certify that the amounts and payment contained herein are correct and accurate to the best of their knowledge and they are in compliance with all applicable Housing Authority Procurement Policy and HUD No.24CFR 85.3G.

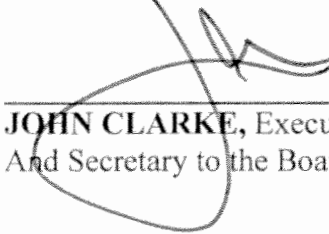
NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby approves and directs that the Executive Director and/or Director of Operations to process and pay the following bills for the month of February 2017:

<u>Description</u>	<u>Amount</u>
Section 8 Payments	\$ 866,463.86
Payroll	\$ 104,040.51
Accounts Payable	\$ 80,576.84
Capital Fund	\$ 3,195.00
Local General	\$ 2,189.00

Passed on this 26th day of April 2017 (See attached Vote Box)



YIRGU WOLDE, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2017 - 4/26 # 8

**Resolution Ratifying, Authorizing and Approving Payment of Bills
for the Month of February, 2017**

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
OTERO			✓			
JONES		✓	✓			
GIORGIANNI						✓
CALDWELL			✓			
VACANT						
OVANDO	✓		✓			
CHAIRPERSON WOLDE			✓			

NBHA RESOLUTION 2017 - 4/26 # 9

**Resolution Ratifying, Approving and Adopting a Smoke-Free Policy for
the New Brunswick Housing Authority**

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has issued a final notice that requires Housing Authorities to be smoke free within 18 months of the rule (by August 2018); and

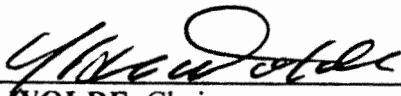
WHEREAS, the New Brunswick Housing Authority's Board received a draft policy and schedule for implementation on January 25, 2017 and an information letter was sent to all residents and NBHA staff regarding the Smoke Free requirement and announcing a 60 day comment period on January 31, 2017; and

WHEREAS, a resident meeting was held of February 14, 2017 and a staff meeting was held of February 14, 2017 to review the policy and to take comments on the policy; and

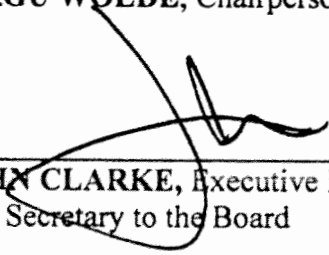
WHEREAS, the policy was advertised for review and a public meeting was held on March 17, 2017 to allow public comment on the Smoke Free Policy; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby approves and adopts the New Brunswick Housing Authority Ethics Smoke-Free Policy as attached hereto and directs the Executive Director to implement the policy and revise the ACOP accordingly.

Passed on this 26th day of April, 2017 (See attached Vote Box)



YIRGU WOLDE, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2017 - 4/26 # 9

**Resolution Ratifying, Approving and Adopting a Smoke-Free Policy for
the New Brunswick Housing Authority**

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
OTERO			✓			
JONES			✓			
VACANT						
GIORGIANNI						✓
OVANDO		✓	✓			
CALDWELL	✓		✓			
CHAIRPERSON WOLDE			✓			

NBHA RESOLUTION 2017 – 4/26 # 10

Resolution Ratifying, Approving and Adopting the Annual Plan for the New Brunswick Housing Authority and CFP Grant Revision

WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the “Housing Authority”), was duly created as an agency and instrumentality of the municipality of the State (the “Local Unit”) in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the “Local Housing Law”);

WHEREAS, Federal Statutes and HUD Regulations require the Housing Authority to prepare an Annual Agency Plan; and

WHEREAS, the Five Year Plan/Annual Agency Plan has been revised to include required language for the RAD program and the Smoke-Free requirement and a CFP grant revision is necessary to complete various capital projects for the AMP 1 property; and

WHEREAS, the Five Year Plan/Annual Plan was advertised and made available for inspection at the Housing Authority office 7 Van Dyke Avenue, New Brunswick, NJ 08901 and a public hearing was held for comments on the plan on March 17, 2017; and

WHEREAS, the New Brunswick Housing Authority has received no comments from the public, and

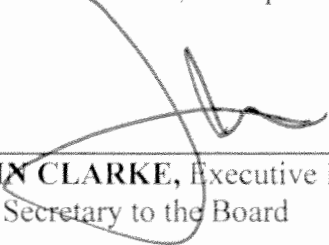
NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick does hereby adopts and approve the Annual Plan and CFP Grant Revision.

BE IT FURTHER RESOLVED, the Board of Commissioners hereby ratifies the submission of the Annual Plan and related certifications to the U.S. Department of HUD by the Executive Director.

Passed on this 26th day of April, 2017 (See attached Vote Box)



YIRGU WOLDE, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2017 – 4/26 # 10

Resolution Ratifying, Approving and Adopting the Annual Plan for the
New Brunswick Housing Authority and CFP Grant Revision

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
OTERO			✓			
JONES			✓			
VACANT						
GIORGIANNI						✓
OVANDO		✓	✓			
CALDWELL	✓		✓			
CHAIRPERSON WOLDE			✓			

NBHA RESOLUTION 2017 - 4/26 # 11

Resolution Authorizing and Approving Payment of Bills for the Month of March, 2017

WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the "Housing Authority"), was duly created as an agency and instrumentality of the municipality of the State (the "Local Unit") in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the "Local Housing Law");

WHEREAS, the Executive Director, Director of Operations and Finance Administrator certify that the amounts and payment contained herein are correct and accurate to the best of their knowledge and they are in compliance with all applicable Housing Authority Procurement Policy and HUD No.24CFR 85.3G.

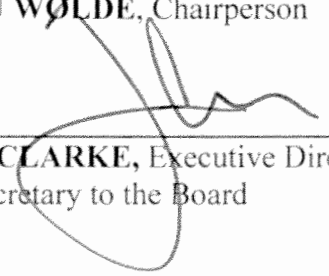
NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby approves and directs that the Executive Director and/or Director of Operations to process and pay the following bills for the month of March 2017:

<u>Description</u>	<u>Amount</u>
Section 8 Payments	\$ 911,880.15
Payroll	\$ 157,278.57
Accounts Payable	\$ 137,310.85
Capital Fund	\$ 15,813.78
Local General	\$ 1,100.80

Passed on this 26th day of April 2017 (See attached Vote Box)



YIRGU WOLDE, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2017 - 4/26 # 11

Resolution Authorizing and Approving Payment of Bills for the Month of March, 2017

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
OTERO			✓			
JONES	✓		✓			
GIORGIANNI						✓
CALDWELL		✓	✓			
VACANT						
OVANDO			✓			
CHAIRPERSON WOLDE			✓			

NBHA RESOLUTION 2017 – 4/26 # 12

Resolution Authorizing and Approving Contract with Manfredi & Pellechio to provide General Legal Services to the Housing Authority of the City of New Brunswick

WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the “Housing Authority”), was duly created as an agency and instrumentality of the municipality of the State (the “Local Unit”) in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the “Local Housing Law”);

WHEREAS, the Housing Authority of the City of New Brunswick is in need of professional services in the area of General Legal Services; and

WHEREAS, the Housing Authority has advertised for Requests for Proposals for the aforesaid services in accordance with its procurement policy and procedures, applicable New Jersey Statutes, and as required by the U.S. Department of Housing and Urban Development rules and regulations; and

WHEREAS, the procurement procedures used for this RFP were completed in a “fair and open” procurement process in accordance with the Pay-to-Play Law, *NJSA 19:44A-20.5*; and

WHEREAS, the Housing Authority advertised for proposals to be due April 16, 2017 and received one (1) proposal. All forms and documents have meet the submission requirements of the RFP; and

WHEREAS, the Housing Authority has scored all responses and with an average score of 90 determined MANFREDI & PELLECHIO (with offices located in Hoboken, NJ) to be the highest scoring and most qualified respondent to the publically advertised RFP; and

WHEREAS, the Authority has the monies available for payment of such Services in Fiscal Years 2016 and 2017 Budgets;

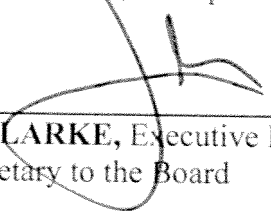
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the City of New Brunswick that the Executive Director be and is hereby authorized and directed to execute a Contract with MANFREDI & PELLECHIO on behalf of the Housing Authority of the City of New Brunswick in an amount not to exceed \$ 10,000.00 annually, to be billed at a rate of \$125.00 per hour (legal services) and \$45 per hour (paralegal services for a one (1) year term to provide General Legal Services for the Housing Authority of the City of New Brunswick.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Housing Authority of the City of New Brunswick that the Executive Director is hereby authorized to have the firm MANFREDI & PELLECHIO complete additional legal service relating to the review of Development Agreements and Contracts (and related HUD documents), contracting and awards relating to CFP and any additional assigned legal work in an additional amount not to exceed \$ 30,000.00 dollars to be billed at a rate of \$125.00 per hour (legal services) and \$45 per hour (paralegal services for a one (1) year term.

Passed on this 26th day of April, 2017 (See attached Vote Box)



YIRGU WOLDE, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2017 – 4/26 # 12

Resolution Authorizing and Approving Contract with Manfredi & Pellechio to provide General Legal Services to the Housing Authority of the City of New Brunswick

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
OTERO			✓			
JONES		✓	✓			
OVANDO	✓		✓			
GIORGIANNI						✓
VACANT						
CALDWELL			✓			
CHAIRPERSON WOLDE			✓			

NBHA RESOLUTION 2017 - 4/26 # 13

Resolution Approving and Adopting the New Brunswick Housing Authority Maintenance Policy

WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the "Housing Authority"), was duly created as an agency and instrumentality of the municipality of the State (the "Local Unit") in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the "Local Housing Law");

WHEREAS, the Housing Authority of the City of New Brunswick is in need of a Maintenance Policy that includes all areas of maintenance including; policy goals, work order system, long term planning, etc; and

WHEREAS, a revised Maintenance Policy has been drafted to include all areas of maintenance and maintenance operations. The draft was circulated to the Board of Commissioners as a draft and also discussed by the Board's Operation/Finance Committee; and

WHEREAS, once adopted the Maintenance Policy will provide staff and management with a framework to follow to address all areas of maintenance services and operations; and

WHEREAS, the Maintenance Policy also outlines systems and schedules for preventative maintenance actions that should help to reduce repair costs for the NBHA's buildings and systems.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby approves and adopts the New Brunswick Housing Authority Maintenance Policy as attached hereto and directs the Executive Director and NBHA staff to implement the policy immediately.

Passed on this 26th day of April, 2017 (See attached Vote Box)



YIRGU WOLDE, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2017 – 4/26 # 13

**Resolution Approving and Adopting the New Brunswick Housing
Authority Maintenance Policy**

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
OTERO			✓			
JONES			✓			
OVANDO			✓			
GIORGIANNI						✓
VACANT						
CALDWELL	✓		✓			
CHAIRPERSON WOLDE		✓	✓			

NBHA RESOLUTION 2017 - 4/26 # 14

Resolution Approving and Adopting the New Brunswick Housing Authority Internal Control Policy

WHEREAS, the Housing Authority of the City of New Brunswick (including any successors or assigns, the "Housing Authority"), was duly created as an agency and instrumentality of the municipality of the State (the "Local Unit") in which such Housing Authority is located, and has been continued as a housing authority pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, constituting Chapter 79 of the Laws of 1992 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 40A:12A-1 et seq.*) (the "Local Housing Law");

WHEREAS, the Housing Authority of the City of New Brunswick is in need of an Internal Control Policy; and

WHEREAS, an Internal Controls Policy has drafted to include controls and procedures for all areas financial management and operations; and


WHEREAS, once adopted the Internal Control Policy will provide staff and management with procedures to follow that assure that proper internal controls are in place for oversights of all financial systems and operations; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of New Brunswick hereby approves and adopts the New Brunswick Housing Authority Maintenance Internal Controls Policy as attached hereto and directs the Executive Director and NBHA staff to implement the policy immediately.

Passed on this 26th day of April, 2017 (See attached Vote Box)



YIRGU WOLDE, Chairperson



JOHN CLARKE, Executive Director
And Secretary to the Board

NBHA RESOLUTION 2017 – 4/26 # 14

**Resolution Approving and Adopting the New Brunswick Housing
Authority Internal Control Policy**

COMMISSIONERS	MOVES	SECONDS	AYES	NAYS	ABSTAIN	ABSENT
OTERO			✓			
JONES	✓		✓			
OVANDO			✓			
GIORGIANNI						✓
VACANT						
CALDWELL			✓			
CHAIRPERSON WOLDE		✓	✓			