

**NBHA RESOLUTION 2014 - 2/26 # 4**

**Resolution Authorizing and Approving Payment of Bills  
for the Month of January, 2014**

**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");

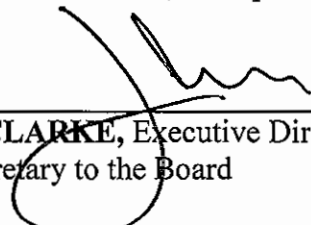
**WHEREAS**, the Executive Director and Director of Operations certify that the amounts and payment contained herein are correct and accurate to the best of their knowledge and they are in compliance with all applicable Housing Authority Procurement Policy and HUD No.24CFR 85.3G.

**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 Deputy Director to process and pay the following bills for the months of January 2014:

<u>Description</u>	<u>Amount</u>
Section 8 Payments	\$ 866,374.40
Payroll	\$ 154,043.41
Accounts Payable	\$ 462,413.97
Capital Fund	\$ 8,432.26
Local General	\$ 9,394.76

Passed on this 26th day of February, 2014 (See attached Vote Box)

  
\_\_\_\_\_  
**DALE CALDWELL**, Chairperson

  
\_\_\_\_\_  
**JOHN CLARKE**, Executive Director  
And Secretary to the Board

**NBHA RESOLUTION 2014 - 2/26 # 4**

**Resolution Authorizing and Approving Payment of Bills  
for the Month of January, 2014**

M	S	A	N	A	A		M	S	A	N	A	A	
O	E	Y	A	B	B		O	E	Y	A	A	A	
V	C	E	Y	S	T		V	C	E	Y	A	A	
E	O	S	S	A	S		E	O	S	S	A	A	
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<b>COMMISSIONER</b>							<b>COMMISSIONER</b>						
BRANGMAN		✓	✓				GIORGIANNI					✓	
JONES	✓		✓				WOLDE		✓				
GONZALEZ						✓	CUPANO					✓	
							CHAIRPERSON CALDWELL			✓			

**NBHA RESOLUTION 2014 - 2/26 # 5**

**Resolution Revising the Flat Rent Schedule for the New Brunswick Housing Authority Effective May 1, 2014**

**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 U.S. Department of Housing and Urban Development (HUD) has mandated that a flat rent schedule be used by all Housing Authorities to allow tenants in public housing to choose between an income based rent and a flat rent; and

**WHEREAS**, the FY Omnibus Appropriations Bill requires that the flat rent schedule be no less than 80% of the Fair Market Rent (FMR) by June 1, 2014; and

**WHEREAS**, the New Brunswick Housing Authority's current flat rent schedule does meet the statutory provision with the exception of the flat rent for one-bedroom units.

**NOW THEREFORE BE IT RESOLVED**, that the flat rent schedule for public housing be revised as follows effective May 1, 2014;

Bedroom Size	Fair Market Rent (FMR)	.8 FMR	Current Flat Rent	Revised Flat Rent
1 BR	\$928	\$742	\$700	\$742
2 BR	1,184	947	1,000	1,000
3 BR	1,458	1,166	1,300	1,300
4 BR	1,892	1,514	1,600	1,600

Passed on this 26th day of February, 2014 (See attached Vote Box)

  
\_\_\_\_\_  
**DALE CALDWELL**, Chairperson

  
\_\_\_\_\_  
**JOHN CLARKE**, Executive Director  
And Secretary to the Board

**NBHA RESOLUTION 2014 - 2/26 # 5**

**Resolution Revising the Flat Rent Schedule for the New Brunswick Housing Authority Effective May 1, 2014**

M	S	A	N	A	A		M	S	A	N	A	A	
O	E	Y	A	B	B		O	E	Y	A	B	B	
V	C	E	Y	S	S		V	C	E	Y	S	S	
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	D			I	T						I	T	
				N							N		
<b>COMMISSIONER</b>							<b>COMMISSIONER</b>						
BRANGMAN			✓				GIORGIANNI						✓
JONES	✓		✓				WOLDE		✓	✓			
GONZALEZ						✓	CUPANO						✓
							CHAIRPERSON CALDWELL						

**NBHA RESOLUTION 2014 – 2/26 # 6**

**Resolution Accepting Annual Audit Report for FYE 6/30/13 and Authorizing and Approving Submission**

**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**, pursuant to Federal and State regulations, the Comptroller General of the United States and the New Jersey Department of Community Affairs-Division of Local Government Services have the right to annually audit the book and records of the New Brunswick Housing Authority pertinent to its operating accounts; and

**WHEREAS**, the United States Government and the New Jersey Department of Community Affairs has authorized local public housing agencies to procure such an audit by an independent public accountant in lieu of auditing by them; and

**WHEREAS**, the New Brunswick Housing and Redevelopment Authority procured the audit services of the certified accounting firm of Hymanson, Parnes & Giampaolo to complete an independent audit of all programs and operations; and

**WHEREAS**, the auditing services were completed for FYE 6/30/13 and an audit was produced and provided to all Board of Commissioners for their review; and

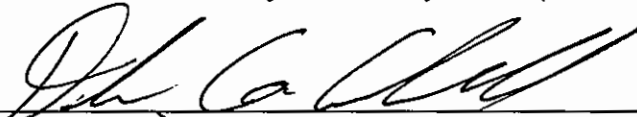
**WHEREAS**, procurement of these services were completed pursuant to a fair and open process as defined by NJSA 19:44A-20.5; and

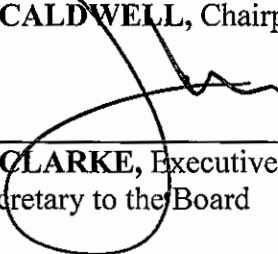
**WHEREAS**, the audit for FYE 6/30/13 had no findings.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Housing Authority of the City of New Brunswick does hereby certify to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the audit fiscal year ending June 30, 2013 and specifically has reviewed the sections of the audit report entitled "Audit Findings" and "Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

**BE IT FURTHER RESOLVED**, that the secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified copy of this resolutions.

Passed on this 26<sup>th</sup> day of February, 2014 (See attached Vote Box)

  
\_\_\_\_\_  
**DALE CALDWELL**, Chairperson

  
\_\_\_\_\_  
**JOHN CLARKE**, Executive Director  
And Secretary to the Board

**NBHA RESOLUTION 2014 – 2/26 # 6**

**Resolution Accepting Annual Audit Report for FYE 6/30/13 and Authorizing and Approving Submission**

M O V E	S E C O N D	A Y E S	N A Y S	A B S T A I N	A B S E N T		M O V E	S E C O N D	A Y E S	N A Y S	A B S T A I N	A B S E N T	
<b>COMMISSIONER</b>							<b>COMMISSIONER</b>						
BRANGMAN							GIORGIANNI						
JONES							CUPANO						
GONZALEZ							WOLDE						
							CALDWELL CHAIRPERSON						

**NBHA RESOLUTION 2014 – 2/26 # 7**

**Resolution Approving and Authorizing the Allocation of Additional Funds not to Exceed \$4,000.00 for Additional Architect and Engineering Services by Joseph McKernan Jr. and Associates 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 has an agreement for Architect and Engineering Services with Joseph McKernan Jr. and Associates; and

**WHEREAS**, the Housing Authority has requested the performance by Joseph McKernan Jr. and Associates of additional A&E services not included in either the original RFP or its agreement for general legal services; and

**WHEREAS**, specifically, the Housing Authority has required A&E services included but not limited to:

1. Additional A&E services and tasks associated with remediation work at the former memorial homes site and work with LSRP.
3. Additional A&E work on the security and system and site work.

**WHEREAS**, the Housing Authority may amend the amount of the professional service contract to Joseph McKernan Jr. and Associates for A&E services necessary pursuant to both 24 CFR Part 85 and HUD-5370C (General Conditions for Non-Construction Contract); and

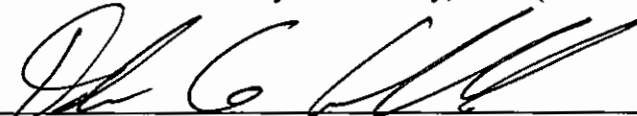
**WHEREAS**, upon review, the Housing Authority has found that as a result of the addition of such substantial services, additional funds must be allocated in the additional amount not to exceed \$4,000.00 for performance of such services and the remainder of the contract; and

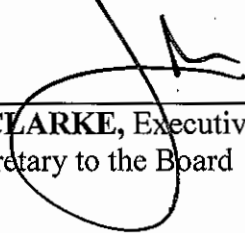
**WHEREAS**, the Board of Commissioners has found that it is in the best interest of the Housing Authority and its goal of providing quality, affordable housing to low-income individuals and families to approve and authorize the allocation of additional funds of not-to-exceed \$4,000.00 for the performance of additional A&E services by Joseph McKernan Jr. and Associates;



**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 allocate additional funds in the amount of not-to-exceed \$4,000.00 for additional A&E services to be performed by Joseph McKernan Jr. and Associates in accordance with its agreement for architect and engineering services to be billed in accordance with the existing agreement at the rates detailed in the existing agreement.

Passed on this 26<sup>th</sup> day of February, 2014 (See attached Vote Box)

  
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**DALE CALDWELL**, Chairperson

  
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**JOHN CLARKE**, Executive Director  
And Secretary to the Board

**NBHA RESOLUTION 2014 – 2/26 # 7**

**Resolution Approving and Authorizing the Allocation of Additional Funds not to Exceed \$4,000.00 for Additional Architect and Engineering Services by Joseph McKernan Jr. and Associates to the Housing Authority of the City of New Brunswick**

	M O V E	S E C O N D	A Y E S	N A Y S	A B S T A I N	A B S E N T		M O V E	S E C O N D	A Y E S	N A Y S	A B S T A I N	A B S E N T	
<b>COMMISSIONER</b>							<b>COMMISSIONER</b>							
GONZALEZ						✓	GIORGIANNI						✓	
JONES			✓				WOLDE	✓		✓				
BRANGMAN		✓	✓				CUPANO						✓	
							CHAIRPERSON			✓				
							CALDWELL							

**NBHA RESOLUTION 2014 – 2/26 # 8**

**Resolution Approving the Award of Contract for Architectural & Engineering Services to Joseph F. McKernan Jr.**

**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 New Brunswick Housing and Redevelopment Authority (NBHA) is in need of a firm to provide architectural and engineering (A&E) services in connection with NBHA’s public housing developments and redevelopment agency operations for a period not to exceed one year; and

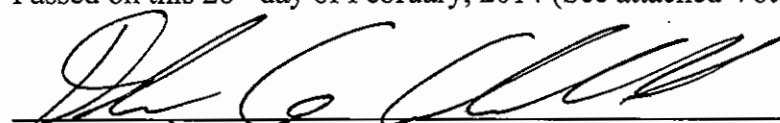
**WHEREAS**, the Executive Director has caused a Request for Proposals for said A&E services to be advertised calling for bids to be filled by January 30, 2014 and four (4) proposals were submitted and evaluated in accordance with the Competitive Proposal process and the proposal of JOSEPH F. MCKERNAN JR. was rated to be the proposal most beneficial to the needs of the Housing and Redevelopment Authority (with average score of 88 out of 100) and acceptance thereof was accordingly recommended by the Executive Director; and


**WHEREAS**, this contract is awarded pursuant to a fair and open process as defined by NJSA 19:44A-20.5; and

**WHEREAS**, the Authority has the monies available for payments of such Architectural & Engineering Services in Fiscal Year 2013 and 2014 Budgets;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Housing Authority of the City of New Brunswick does hereby approve and accept said proposal for Architectural & Engineering Services by JOSEPH F. MCKERNAN JR., in an annual amount not to exceed \$40,000.00.

Passed on this 26<sup>th</sup> day of February, 2014 (See attached Vote Box)

  
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**DALE CALDWELL**, Chairperson

  
\_\_\_\_\_  
**JOHN CLARKE**, Executive Director  
And Secretary to the Board

**NBHA RESOLUTION 2014 – 2/26 # 8**

**Resolution Approving the Award of Contract for Architectural & Engineering Services to Joseph F. McKernan Jr.**

						M	S	A	N	A	A							M	S	A	N	A	A	
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							D												D					
<b>COMMISSIONER</b>												<b>COMMISSIONER</b>												
BRANGMAN							✓	✓				GIORGIANNI												✓
CUPANO											✓	JONES						✓		✓				
GONZALEZ											✓	WOLDE								✓				
												CHAIRPERSON CALDWELL								✓				

## NBHA RESOLUTION 2014 – 2/26 # 9

### **Resolution Approving the Award of Contract for the Provision of Professional Risk Management Services**

**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 New Brunswick Housing and Redevelopment Authority (NBHA) is in need of Professional Risk Management Services for all of the agencies public housing and redevelopment sites; and

**WHEREAS**, the Risk Manager will assist the Authority in evaluating and recommending professional methods to reduce, assume or transfer risk or loss and provide the Authority with general assistance in the preparation of applications, statement of values, etc. as required by the fund; and

**WHEREAS**, the Risk Manager will review the Authority’s assessment and assist in the preparation of the Authority’s insurance budget and review loss and engineering reports, and provide general assistance to the safety committee (or other designated committee) in its loss containment objectives also, attend requested meetings; and

**WHEREAS**, the Risk Manager will review certificates of insurance from contractors, vendors and professionals when requested by the Authority and assist (where needed) in the settlement of claims, with the understanding that the Scope of Risk Management Services does not include services normally provided by a public adjuster; and

**WHEREAS**, the Risk Manager will provide any other risk management related services required by the Joint Insurance Funds Bylaws; and

**WHEREAS**, this contract is awarded pursuant to a fair and open process as defined by NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has caused a Request for Proposals for said Professional Risk Management Services to be advertised calling for bids to be submitted to the NBHA and one (1) proposal was submitted and evaluated in accordance with the Competitive Proposal process; and

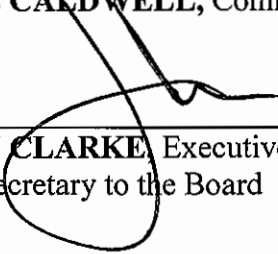
**WHEREAS**, the proposal from ALAMO INSURANCE GROUP of North Bergen, NJ was rated at an average score 83 (out of a possible 100) and is the most beneficial to the needs of the Housing and Redevelopment Authority and acceptance thereof was accordingly recommended by the Proposal Review Committee; and

**WHEREAS**, this service are available through the NJJIF in accordance with our agencies agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Housing Authority of the City of New Brunswick does hereby approve and accept said proposal for Professional Risk Management Services to ALAMO INSURANCE GROUP, for fees not to NJJIF and State allowance.

Passed on this 26th day of February, 2013 (See attached Vote Box)

  
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**DALE CALDWELL**, Commissioner

  
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**JOHN CLARKE**, Executive Director  
And Secretary to the Board

**NBHA RESOLUTION 2014 – 2/26 # 9**

**Resolution Approving the Award of Contract for the Provision of Professional Risk Management Services**

<b>M O V E</b>	<b>S E C O N D</b>	<b>A Y E S</b>	<b>N A Y S</b>	<b>A B S T A I N</b>	<b>A B S E N T</b>		<b>M O V E</b>	<b>S E C O N D</b>	<b>A Y E S</b>	<b>N A Y S</b>	<b>A B S T A I N</b>	<b>A B S E N T</b>	
<b>COMMISSIONER</b>							<b>COMMISSIONER</b>						
CUPANO					✓	GIORGIANNI						✓	
JONES	✓		✓			GONZALEZ						✓	
BRANGMAN		✓	✓			WOLDE			✓				
							CHAIRPERSON						
							CALDWELL						

**NBHA RESOLUTION 2014 2/26 # 10**

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

**RESOLUTION approving a revised concept plan and redesignating 90 New Street, LLC as redeveloper for a mixed use project in the Downtown Development District 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 to 49, 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**, the City Council of the City of New Brunswick has adopted a redevelopment plan ("Redevelopment Plan") for the Downtown Development District Redevelopment Area ("Redevelopment Area"), which Redevelopment Area includes lands located at 90 New Street, which lands are known as Lot 5.01 (formerly Lots 5, 6, 7, 8.01, and 8.02) in Block 129 on the official Tax Map of the City of New Brunswick (the "Project Site"); and

**WHEREAS**, by Resolution 2009 2/25 #18, duly adopted on February 25, 2009, the Redevelopment Agency designated 90 New Street, LLC ("Redeveloper") or an affiliated urban renewal entity created by Redeveloper pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., as redeveloper of the Project Site for the purpose of constructing a mixed-use development (the "Initial Project"); and

**WHEREAS**, the Initial Project was to consist of a 25-story building containing (a) approximately 1,000 s.f. of retail space, (b) a 19,520 s.f. health club, (c) approximately 166 residential condominium apartments, (d) a 177-space onsite parking garage and (e) a 19,000 s.f. basement; and

**WHEREAS**, the Redevelopment Agency subsequently entered into an agreement, dated as of April 13, 2009, with Redeveloper and R&J Construction Corp., as Guarantor (the "Redevelopment Agreement") setting forth the terms and conditions by which Redeveloper would carry out the Initial Project; and

**WHEREAS**, due to the general economic downturn of recent years and to litigation challenging approvals obtained for the Initial Project, Redeveloper was unable to carry out the Initial Project in accordance with the requirements and development schedule set forth in the Redevelopment Agreement; and



**WHEREAS**, by letter dated February 12, 2014 from Redeveloper's attorneys, Redeveloper has submitted a revised concept plan and requested (a) to be redesignated as redeveloper of the Project Site for the purpose of developing it according to the revised concept plan, (b) approval of the revised concept plan, and (c) approval of a revised development schedule; and

**WHEREAS**, the revised project will consist of a 22-story building containing (a) approximately 4,600 s.f. of ground floor retail space, (b) approximately 234 rental apartments, (c) a 121-space onsite parking garage, and (d) a 5,000 s.f. basement (the "Project") and

**WHEREAS**, the membership of the Redeveloper entity remains the same as at the time of the previous application and Redeveloper has submitted current evidence of financial wherewithal pertaining to both Redeveloper and the Guarantor; and

**WHEREAS**, the total Project cost of approximately \$65 million will be funded with a 30% equity contribution and 70% lender financing; and

**WHEREAS**, Redeveloper appeared at a regular meeting of the Redevelopment Agency on February 26, 2014 to introduce and describe the revised concept plan and, at that time, addressed all questions about the Project to the Commissioners' satisfaction; and

**WHEREAS**, based upon Redeveloper's submissions and its appearance before the Commissioners, the Redevelopment Agency has determined to redesignate Redeveloper, or an affiliated urban renewal entity created by Redeveloper for the purpose of developing the Project, as redeveloper of the Project Site, subject to the conditions specified below; and

**WHEREAS**, the Commissioners of the Redevelopment Agency have considered the proposed revised concept plan, finding that it will improve the marketability and financial viability of the Project, thereby furthering 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. 90 New Street, LLC, or an affiliated urban renewal entity (as that term is defined in the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.) created by 90 New Street, LLC for the purpose of developing the Project, is designated and certified as the redeveloper of the Project Site, subject to (a) the execution of an appropriate amendment to the Redevelopment Agreement within one hundred twenty (120) days after the adoption of this Resolution, (b) approval of this appointment by the City Council, if required under the Redevelopment Plan, and (c) Redeveloper's payment of all initial fees and escrow deposits that are called for in the Redevelopment Agreement and/or in any applicable resolution or ordinance of the Redevelopment Agency or the City of New Brunswick.

2. The proposed revised concept plan is approved in substantially the form presented to the Commissioners, subject to any modifications required by the Planning Board.

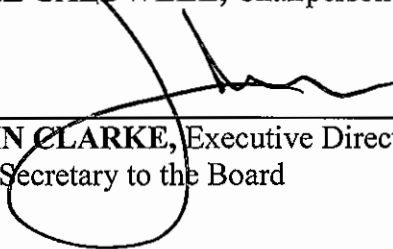
3. The amendment to the Redevelopment Agreement shall require that construction be commenced within one year of Planning Board approval and substantially completed within two years after commencement.

4. This appointment is subject to the conditions set forth in Paragraphs 1-3 and shall terminate automatically if said conditions are not satisfied.

5. This Resolution shall take effect immediately.

Passed on this 26<sup>th</sup> day of February, 2014 (See attached Vote Box)

  
\_\_\_\_\_  
**DALE CALDWELL**, Chairperson

  
\_\_\_\_\_  
**JOHN CLARKE**, Executive Director  
And Secretary to the Board

**NBHA RESOLUTION 2014 – 2/26 # 10**

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

**RESOLUTION approving a revised concept plan and redesignating 90 New Street, LLC as redeveloper for a mixed use project in the Downtown Development District Redevelopment Area**

						M	S	A	N	A	A						
						O	E	Y	A	B	A						
						V	C	E	Y	S	T						
						E	O	S	S	A	E						
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<b>COMMISSIONER</b>												<b>COMMISSIONER</b>					
BRANGMAN								✓				GIORGIANNI					
CUPANO											✓	JONES					
GONZALEZ											✓	WOLDE					
												CHAIRPERSON CALDWELL					