

MINUTES

GLOUCESTER TOWNSHIP HOUSING AUTHORITY

REORGANIZATION/REGULAR MEETING

JANUARY 11, 2022 6:06 PM

The Regular Meeting of the Gloucester Township Housing Authority was held remotely on January 11, 2022.

A roll call for attendance was taken:

COMMISSIONER CARLAMERE	PRESENT
COMMISSIONER ORNER	PRESENT
COMMISSIONER ROSSELL	PRESENT
COMMISSIONER PICCOLO	PRESENT
COMMISSIONER HUNT	PRESENT
COMMISSIONER MACPHERSON	PRESENT

Also in attendance were William Snyder, Execu-Tech; Adrienne Cutter, Execu-Tech, Amy E. Shotmeyer, Esq., Solicitor.

PLEDGE OF ALLEGIANCE Commissioner Carlamere prompted all who could, to pledge the flag.

REORGANIZATION

NOMINATION OF CHAIRPERSON

Commissioner Hunt nominated Commissioner Carlamere as Chairperson and seconded by Commissioner Piccolo. Being as there were no other nominations, the nominations were closed and the Board unanimously approved Ms. Carlamere as Chairperson in a roll call vote.

NOMINATION OF VICE CHAIRPERSON

Commissioner MacPherson nominated Commissioner Orner as Vice Chairperson and seconded by Commissioner Rossell. Being as there were no other nominations, the nominations were closed and the Board unanimously approved Commissioner Orner as Vice Chairperson in a roll call vote.

NOMINATION OF TREASURER

Commissioner Piccolo nominated Commissioner Rossell as Treasurer and seconded by Commissioner Orner. Being as there were no other nominations, the nominations were closed and the Board unanimously approved Commissioner Rossell as Treasurer in a roll call vote.

MOTIONS:

Motion to Approve Meeting Minutes: Commissioner Orner made a motion to approve the minutes of the Regular Meeting held on December 14, 2021. Commissioner Rossell seconded the motion. Said meeting minutes were approved by a unanimous voice vote.

CHAIRPERSON'S REPORT – NONE.

ATTORNEY'S REPORT – NO REPORT.

Ms. Shotmeyer administered the oaths of office to the newly elected Chairperson, Vice-Chair and Treasurer.

OLD BUSINESS – NONE

NEW BUSINESS – RESOLUTIONS

- **RESOLUTION 22-1-11-1** – Approving payment of invoices for the month of January. Commissioner Hunt motioned to approve the January invoices and seconded by Commissioner MacPherson. Said motion passed unanimously.
- **RESOLUTION 22-1-11-2** – Indemnifying Commissioners and Employees Consistent with N.J.S.A. 59:10-4. Commissioner Rossell motioned to Indemnify Commissioners and Employees Consistent with N.J.S.A. 59:10-4 and seconded by Commissioner Hunt. Said motion passed unanimously.
- **RESOLUTION 22-1-11-3** – Authorizing a Policy Respecting Reimbursement of GTHA Commissioners/Employees for Costs of Defending Against Criminal Charges. Commissioner Hunt motioned Authorizing a Policy Respecting Reimbursement of GTHA Commissioners/Employees for Costs of Defending Against Criminal Charges and seconded by Commissioner Orner. Said resolution passed unanimously.
- **RESOLUTION 22-1-11-4** - Approving the Cash Management Plan. Commissioner MacPherson motioned to approve the Cash Management Plan and seconded by Commissioner Piccolo. Said motion passed unanimously.

COMMITTEE REPORTS – NONE

EXECUTIVE DIRECTOR'S REPORT – Mr. Snyder reported that bid proposal documents were prepared for the installation of a Closed-Circuit Security System at Senior Campus 1.

EXECUTIVE SESSION – NONE

COUNCIL LIAISON – NONE

PUBLIC COMMENTS –

Peter Heinbaugh – Gloucester Township

An email was sent to Chairperson Carlamere and some others recommending a cost-effective way for the Housing Authority to process OPRA requests. Have you considered this recommendation?

- Email was received and the process that is in place works very well.

Suggestion was a process that would cost taxpayers less and would work just as well.

- Gloucester Township does not have jurisdiction over our OPRA requests so not feasible.

Don't you share some services with Gloucester Township?

We currently use our legal services and Ms. Shotmeyer is doing a fine job.

You aren't effectively spending taxpayer money. OPRA requests could easily be handled by staff at the Housing Authority.

- Thank you for your input.

Denise Coyne – Gloucester Township

Can you justify using an attorney to fill every OPRA response?

- Yes. This is the process that we use, and we find it to be very efficient.

Don't you have a responsibility to spend taxpayers' money wisely? If it could be done in a cheaper manner, don't you have a responsibility to consider that?

- We are handling our responsibility to the best of our ability and OPRA requests are being handled very efficiently.

When members of the public are saying that OPRA requests are for documents that can be easily filled by a clerk and don't need a professional attorney who is charging a lot more than what a clerk would charge to fill a response it doesn't seem fiscally responsible. This is the point the public is trying to make.

- Ms. Shotmeyer's firm routinely and customarily responds to municipal and public entities clients OPRA requests.

Publics concerns don't seem to be heard. It doesn't seem to be fiscally responsible to pay a lot more money for document requests. Public is being totally disregarded and we have valid concerns.

Are the resolutions that are voted on and approved somewhere for the public to view? These meetings are done by zoom and public has no way of knowing what is being voted on.

-Resolutions are not posted. Meeting agenda and minutes are posted. This has been standard procedure.

Do you think it would be reasonable to post the resolutions before voting so the public has a chance to review them?

-Request will be taken into consideration with the Housing Authority attorney.

Could you please read the resolutions voted on regarding the indemnification?

Resolutions were already voted on, so they won't be read at this time.

I understand you already have public official liability insurance. Please explain why you need a separate policy for indemnification.

Resolution is in the event a civil action occurs. Not uncommon for a Board member to be sued directly. If the plaintiff doesn't follow requirements of the Tort Claim Act, any out-of-pocket expenses that the insurance doesn't cover, Housing Authority would have to cover as long as in accordance with duties as a commissioner.

I am assuming that this is something new and not done previously?

These resolutions are voted on every January at the reorganization meeting.

MOTION TO ADJOURN – A motion to adjourn the meeting at 6:29 PM was made by Commissioner Orner and seconded by Commissioner Rossell. Said motion passed unanimously.

Respectfully submitted,
Adrienne M. Cutter

Dated: January 27, 2022

RESOLUTION

Board Meeting Date

1-11-2022

of the
GLOUCESTER TOWNSHIP HOUSING AUTHORITY

RESOLUTION NO. 22-1-11-4

TITLE: RESOLUTION APPROVING THE CASH MANAGEMENT PLAN

Factual Contents Certified to by:

Budget Authorization Certified to by:

Commissioner  Submitted the following Resolution:

WHEREAS, it is in the best interest of the GTHA to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, Chapter 8, approved January 08, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS, this law requires that each local unit shall adopt a cash management plan,

NOW, THEREFORE, BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the GTHA and the Executive Director shall deposit and manage its funds pursuant to this plan:

Definitions

1. Executive Director shall mean the Executive Director of the Housing Authority of Gloucester Township.
2. Fiscal Year shall mean the twelve-month period ending December 31st.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the GSHC in accordance with N.J.S.A. 40A:5-14. GSHC designates TD Bank and other Government Unit Deposit Protection Act (GUDPA) approved banking institutions.

Audit Requirement

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

GTHA to Invest

The Board of Trustees shall pass a resolution at its first meeting of the fiscal year designating the official who shall make and be responsible for municipal deposits and investments. The Executive Director of the Gloucester Township Housing Authority is so authorized.

Resolution 22-1-11-4 cont'd

Investment Instruments

1. The Executive Director shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-16.1.

Records and Reports

1. The Executive Director shall report all investments in accordance with N.J.S.A. 40A:5-16.2.
2. At a minimum the Executive Director shall:
 - a. Keep a record of all investments.
 - b. Keep a cash position record which reveals, on a daily basis, the status of the cash in its bank account.
 - c. Confirm investments with the Board of Trustees at the next regularly scheduled meeting.
 - d. Report monthly to the Board of Trustees as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

1. The Executive Director shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All monies shall be turned over to the Executive Director and deposited in accordance with N.J.S.A. 40A:5-16.
3. The Executive Director is authorized and directed to invest surplus funds of the GTHA as the availability of the funds permit. In addition, it shall be the responsibility of the Executive Director to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the GTHA.
4. The Executive Director shall ensure that funds are borrowed for Capital Projects in a timely fashion.

Signatories

The signatories of the GTHA shall be Executive Director, President, Vice President and Treasurer. Transactions must be supported by at least two of the aforementioned officials.

Commissioner Mac Pherson, Commissioner Piccolo seconded the motion.

X – Indicates Vote					A.B. – Absent		N.V. – Not Voting		
RECORD OF COMMISSIONERS VOTE ON FINAL PASSAGE									
COMMISSIONERS	AYE	NAY	N.V.	A.B.	COMMISSIONERS	AYE	NAY	N.V.	A.B.
CARLAMERE	X				PICCOLO	X			
HUNT	X				ROSSELL	X			
ORNER	X				MACPHERSON	X			

I Hereby Certify that the above Resolution was adopted at a Commissioners Meeting of the Gloucester Township Housing Authority on 1/11/22.

AMCutter
SECRETARY/EXECUTIVE DIRECTOR

RESOLUTION

Board Meeting Date

1-11-2022

of the
GLOUCESTER TOWNSHIP HOUSING AUTHORITY

RESOLUTION NO. 22-1-11-3

TITLE: **RESOLUTION AUTHORIZING A POLICY RESPECTING REIMBURSEMENT OF GTHA COMMISSIONER/ EMPLOYEES FOR COSTS OF DEFENDING AGAINST CRIMINAL CHARGES**

Factual Contents Certified to by:

Budget Authorization Certified to by:

Commissioner Carlamere Submitted the following Resolution:

WHEREAS, it is deemed to be in the best interest of the GTHA to adopt a uniform policy respecting the reimbursement of GTHA Commissioner/ Employees for the costs of defending against civil criminal charges.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE GLOUCESTER TOWNSHIP HOUSING AUTHORITY:

1. That the Gloucester Township Housing Authority shall reimburse any Commissioner / employee for the actual reasonable legal costs of successfully defending against criminal charges where such charges results from the performance of the Commissioner's / Employee's duties and the Commissioner / Employee is deemed to have acted in good faith.
2. That the Gloucester Township Housing Authority shall reimburse any Commissioner / employee for the actual reasonable legal costs of successfully defending against civil suits where such suit results from the performance of the Commissioners/ Employee's duties and the Commissioner / Employee is deemed to have acted in good faith.
3. That the Gloucester Township Housing Authority shall pay for all legal expenses as incurred in the event the General Counsel advises the GTHA that the Commissioner / Employee in all likelihood will be found to have acted in good faith.
4. That this Resolution shall take effect immediately.

Commissioner Hunt, Commissioner Orner seconded the motion.

X - Indicates Vote		A.B. - Absent			N.V. - Not Voting				
RECORD OF COMMISSIONER VOTE ON FINAL PASSAGE									
COMMISSIONER	AYE	NAY	N.V.	A.B.	COMMISSIONER	AYE	NAY	N.V.	A.B.
CARLAMERE	X				PICCOLO	X			
HUNT	X				ROSSELL	X			
ORNER	X				MACPHERSON	X			

I Hereby Certify that the above Resolution was adopted at a Commissioners Meeting of the Gloucester Township Housing Authority on 1/11/22.

AMcutter
SECRETARY/EXECUTIVE DIRECTOR

RESOLUTION

Board Meeting Date

1-11-2022

of the
Gloucester Township Housing Authority

RESOLUTION NO. 22-1-11-2

TITLE: **RESOLUTION INDEMNIFYING COMMISSIONERS AND EMPLOYEES
CONSISTENT WITH N.J.S.A. 59:10-4**

Factual Contents Certified to by:

Budget Authorization Certified to by:

Commissioner *Carlamere* Submitted the following Resolution:

WHEREAS, N.J.S.A. 59:10-4 empowers the Board of Commissioners of the Gloucester Township Housing Authority (GTHA) to indemnify its employees; and

WHEREAS, it is deemed to be in the best interest of the GTHA to indemnify the Commissioners and employees while acting within the scope of their duties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE
GLOUCESTER TOWNSHIP HOUSING AUTHORITY:

1. It is deemed in the best interest of the GTHA to indemnify the Commissioners and employees while acting within the scope of their duties.
2. For the purpose of this Resolution, unless the context clearly indicates a different meaning, the following words and phases shall have the meaning set forth:
 - INSURANCE – Coverage afforded by insurance policies of every kind whether the premiums be paid by the GTHA, the employee or someone on his/ her behalf.
 - TRUSTEE/ EMPLOYEE – Any employee or Commissioner, appointed to or hired by the GTHA whether, full or part-time.
3. The GTHA shall reimburse an employee for all reasonable expenses incurred, specifically court costs and all monetary judgments imposed upon him/ her in any action or legal proceeding of a noncriminal nature arising out of or incidental to the performance of the duties of the position or the office held by such employee. The GTHA shall indemnify an employee for exemplary or punitive damages resulting from the employee's civil violation of state and/ or federal law if the acts committed by the employee upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.
4. The GTHA shall not be obligated to provide reimbursement in the following instances:
 - Where the legal proceeding involved a claim or misfeasance or malfeasance in office or a claim of fraud, theft or misappropriation of public funds and the Commissioner/ employee is found liable for the charge.

Resolution 22-1-11-2 – cont'd

- Where the legal proceeding is instigated or brought by the Gloucester Township Housing Authority against the Commissioner/ employee.
5. The amount the GTHA is obligated to reimburse the Commissioner / employee shall be reduced by an insurance coverage payable to the Commissioner / employee by the net amount (recovery cost) of any money received by the Commissioner / employee in any counteraction against the person or persons bringing the action against him/ her.
 6. A Commissioner / employee shall not be entitled to indemnification or reimbursement pursuant to this chapter unless, within ten (10) calendar days of the time he/she is served with any summons, complaint, process, notice, demand or pleading, he/ she delivers the original or a copy thereof to the Executive Director. The Commissioner / employee shall be obligated to cooperate with the GTHA in the conduct of his/ her defense. Whenever competent and disinterested legal counsel is available to the GTHA through any insurance coverage, the Commissioner / employee shall be obligated to be represented by such counsel. If the GTHA wishes to use the General Counsel of the GTHA to defend the action, the Commissioner / employee shall be obligated to be represented by that attorney unless there is a conflict of interest. The refusal of the Commissioner / employee to cooperate with the GTHA shall terminate the GTHA's obligation to reimburse the Commissioner/ employee.
 7. If the legal proceeding is terminated by an agreement among the parties, then the GTHA shall not be obligated to reimburse the Commissioner/ employee unless the GTHA approves the settlement agreement.
 8. The GTHA may reimburse a Commissioner/ employee for a portion of an expense incurred prior to a final decision in a legal proceeding, but the GTHA shall be entitled to wait for a final determination before being obligated to make any final payments.
 9. That this Resolution shall take effect immediately.

Commissioner Russell, Commissioner Hunt seconded the motion.

X – Indicates Vote		A.B. – Absent		N.V. – Not Voting					
RECORD OF COMMISSIONERS VOTE ON FINAL PASSAGE									
	AYE	NAY	N.V.	A.B.		AYE	NAY	N.V.	A.B.
CARLAMERE	X				PICCOLO	X			
HUNT	X				ROSSELL	X			
ORNER	X				MACPHERSON	X			

I Hereby Certify that the above Resolution was adopted at a Commissioners Meeting of the Gloucester Township Housing Authority on 1/11/2022.

A.M. Cutter
SECRETARY/EXECUTIVE DIRECTOR

RESOLUTION

Board Meeting Date
1-11-2022

of the
GLOUCESTER TOWNSHIP HOUSING AUTHORITY

RESOLUTION NO. 22-1-11-1

TITLE: RESOLUTION AUTHORIZING THE PAYMENT OF INVOICES.

Factual Contents Certified to by: _____

Budget Authorization Certified to by: _____

The following Resolution was submitted for approval:

WHEREAS, in the course of administering the operations of the Gloucester Township Housing Authority, expenses are incurred.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF GLOUCESTER TOWNSHIP:

1. That the attached list of bills for January 2022 in the amount of \$5,442.51 be approved for payment.
2. That the proper officers of the Authority be authorized to pay all items on the list of invoices.
3. That this Resolution shall take effect immediately

Commissioner *Hunt / MacPherson* seconded the motion.

X – Indicates Vote		A.B. – Absent			N.V. – Not Voting				
RECORD OF COMMISSIONERS VOTE ON FINAL PASSAGE									
COMMISSIONER	AYE	NAY	N.V.	A.B.	COMMISSIONER	AYE	NAY	N.V.	A.B.
CARLAMERE	X				ORNER	X			
PICCOLO	X				ROSSELL	X			
HUNT	X				MACPHERSON	X			

I hereby certify that the above resolution was adopted at a Commissioners Meeting of the Housing Authority on

1/11/22

dmc

Secretary/ Executive Director