

Housing Authority of the City of Cape May
Regular Board of Commissioner Meeting Minutes
April 18, 2022, 4:00 p.m.

The regular meeting of the Housing Authority of the City of Cape May (CMHA) was held April 18, 2022, at 4:00 p.m. in the Management Offices of the CMHA located at 639 Lafayette Street, Cape May, NJ 08204.

The meeting was called to order by Vice-Chair Hodgetts. Vice-Chair Hodgetts requested everyone to rise for the Pledge of Allegiance.

Vice-Chair Hodgetts read the Sunshine Law.

Upon roll call those presents were:

Chairperson Dr. Keith Lafferty	(via zoom)
Commissioner Faison	(via zoom)
Vice-Chairperson Patricia Hodgetts	(in person)
Commissioner Laurel Nuschke	(in person)
Commissioner Dr. Patricia Martz	(in person-4:04pm)
Commissioner Lynda Towns	(in person)
Commissioner Dr. Christopher Traficante	(in person)

Also, present were Jacqueline Jones, Executive Director, Maryellen Francke, Secretary, Mike Watson, Esquire – Solicitor (via zoom), Linda Cavello – Fee Accountant (via zoom).

Minutes

Vice-Chair Hodgetts requested a motion to approve the Regular Meeting minutes from March 21, 2022. A motion was made by Commissioner Nuschke and seconded by Commissioner Traficante. The following vote was taken:

Chairperson Dr. Keith Lafferty	(Yes)
Vice-Chairperson Patti Hodgetts	(Yes)
Commissioner Faison	(Yes)
Commissioner Laurel Nuschke	(Yes)
Commissioner Dr. Patricia Martz	(Yes)
Commissioner Lynda Towns	(Abstain)
Commissioner Dr. Christopher Traficante	(Yes)

Vice-Chair Hodgetts then asked Ms. Cavallo to present the monthly accounting report. Ms. Cavallo reviewed the Financial Report for the six-months ending March 31, 2022.

Executive Director’s Report

Ms. Jones noted there is one vacancy on Broad Street.

Ms. Jones presented an update on JCP&L. The last, red-lined version came back to the Authority from the JCP&L Attorney, which is 2/3rds of the way through for a positive review. The other 1/3rd of the Agreement will be reviewed within the next week or so. So, we cannot say “we are out of woods yet” but we are close, that is all positive.

The other issue that is not in the Administrative Report is that the Authority just found out on Friday that JCP&L wants to come back on the property between late April and early May to do some work at Osborne Court. The “Trapezoid” area is about four hundred square feet, and the South end of this area had some work done on it about a year and a half ago. What they want to do is work on the Northern part of the area. They will be digging down about two feet and putting in a demarcation fabric. They expect it will take a few weeks to complete the work.

They will also be taking vapor samples from at least two units as well as crawl spaces. This is part of the bi-annual monitoring of the wells. The bi-annual certification goes to the DEP, which is a requirement forever.

Resolution #2022-09
Resolution Approving April 2022 Expenses

Vice-Chair Hodgetts called for a motion to approve Resolution 2022-09, expenses for April 2022 in the Amount of \$104,4826.39. A motion was made by Commissioner Towns; seconded by Commissioner Traficante.

The following vote was taken:

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|---|-------|
| Chairperson Dr. Keith Lafferty | (Yes) |
| Vice-Chairperson Patti Hodgetts | (Yes) |
| Commissioner Victor Faison | (Yes) |
| Commissioner Laurel Nuschke | (Yes) |
| Commissioner Dr. Patricia Martz | (Yes) |
| Commissioner Lynda Towns | (Yes) |
| Commissioner Dr. Christopher Traficante | (Yes) |

Resolution #2022-10
Resolution Approving As Needed Legal Services
General & Redevelopment

Vice-Chair Hodgetts called for a motion to approve Resolution 2022-10, A Resolution Awarding a Professional Services Contract to Brown & Connery for as Needed Legal Services, General & Redevelopment Council. A motion was made by Commissioner Towns; seconded by Commissioner Nuschke.

Ms. Jones noted that because the prior Solicitor, Charles Gabage, passed away, the Authority has formed a relationship with the Brown & Connery Firm concerning employment services as well as providing assistance with the JCP&L legal document. This Resolution will solidify that relationship with Brown & Connery until the Authority solicits bids for legal services for the new fiscal year beginning October 1, 2022.

Concerning the question from Commissioner Martz as to why another attorney from Charles Gabage’s Firm would not continue with the current legal services agreement. Ms. Jones explained that Mr. Gabage was working with an attorney from Brown & Connery, Mark Asselta, whose expertise is in environmental matters, on the JCP&L project so it would be in the Authority’s best interest to continue with that relationship.

The following vote was taken:

- Chairperson Dr. Keith Lafferty (Yes)
- Vice-Chairperson Patti Hodgetts (Yes)
- Commissioner Victor Faison (Yes)
- Commissioner Laurel Nuschke (Yes)
- Commissioner Dr. Patricia Martz (Yes)
- Commissioner Lynda Towns (Yes)
- Commissioner Dr. Christopher Traficante (Yes)

Resolution #2022-11
Resolution Approving Environmental Services

Vice-Chair Hodgetts called for a motion to approve Resolution 2022-11, A Resolution Awarding Environmental Consulting Services. A motion was made by Commissioner Traficante; seconded by Commissioner Martz.

Ms. Jones noted the Authority currently has a relationship with Pennoni Associates, Inc., who were engaged last year. Because there is a current environmental issue, they will be on standby in case they are needed. The Authority has not engaged them up to this point, but this Resolution is in case they are needed until the end of the fiscal year when a formal RFP will be put out for these services.

The following vote was taken:

- Chairperson Dr. Keith Lafferty (Yes)
- Vice-Chairperson Patti Hodgetts (Yes)
- Commissioner Victor Faison (Yes)
- Commissioner Laurel Nuschke (Yes)
- Commissioner Dr. Patricia Martz (Yes)
- Commissioner Lynda Towns (Yes)
- Commissioner Dr. Christopher Traficante (Yes)

Vice-Chair Hodgetts asked for any comments from the Board Members.

Commissioner Nuschke brought a concern before the Board as follows:

- A developer under the permits that were granted for the building of housing units on Harbor Cove was required to do two affordable housings units (one of which may have been a 4-bedroom unit). It has been reported that a request may be submitted to the Planning Board to swap out his obligation for the two units on Harbor Cove for two efficiencies on Lafayette Street that is owned by the Developer.

Commissioner Nuschke explained that she wanted to know if the Board would like to put a consensus opinion from the Board in a letter to the Planning Board before there was a vote on the matter.

Attorney Watson interjected stating he was comfortable up to this point of what the Board discussed; however, it sounds like the discussion and consideration of action will involve what is the Board's position on policy. It may also involve the comfort of asking for legal or technical advice during the discussion itself. In that situation, he recommended that the Board go into "closed session" (Executive Session). As these discussions would certainly fall within the protection of Attorney-Client privilege as well as discussions about policy or potential policy, which is protected by the process leading to the official policy.

Resolution #2022-12
Resolution Approving Executive Session

Vice-Chair Hodgetts called for a motion to approve Resolution 2022-12, A Resolution Authorizing Executive Session. A motion was made by Commissioner Traficante; seconded by Commissioner Martz.

The following vote was taken:

Chairperson Dr. Keith Lafferty	(Yes)
Vice-Chairperson Patti Hodgetts	(Yes)
Commissioner Victor Faison	(No)
Commissioner Laurel Nuschke	(Yes)
Commissioner Dr. Patricia Martz	(Yes)
Commissioner Lynda Towns	(Yes)
Commissioner Dr. Christopher Traficante	(Yes)

At 4:27pm the Board entered Executive Session.

At 4:52pm the Board resumed the public meeting. The Board was in “closed session” (Executive Session) to discuss matters that fall under attorney-client privilege as well as process privilege and other issues that may impact the Board Policy on certain events or Board position on certain events that may be conveyed in a more formal decision later. Minutes of the “closed session” (Executive Session) will be kept confidential until the need for confidentiality is no longer present; however, at all times statements that fall under the attorney-client privilege will not be disclosed and will be redacted from the production of any such closed session minutes.

Vice-Chair Hodgetts called for any comments from the public, there were no members of the public present at the meeting.

With no further business to discuss, Vice-Chair Hodgetts entertained a motion for adjournment of the Regular Meeting. A motion was made by Commissioner Nuschke; seconded by Commissioner Towns. The Board Members unanimously carried the vote present. The Regular Meeting of the Board of Commissioners was adjourned at 5:05p.m.

Respectfully submitted,



Jacqueline S. Jones
Secretary/Treasurer