

MINUTES . . . REGULAR MEETING . . . AUGUST 9, 2021

The members of the Bethlehem Housing Authority met in a regular session Monday, August 9, 2021 at 4:00 P.M. Teleconference (Virtual Meeting). Those present and absent were as follows:

PRESENT

**Mrs. Iris Linares, Chairperson
Mrs. Valerie McLendon, Vice Chairperson
Mrs. Susan Acevedo
Mr. Greg Solderitch
Mr. Rogelio Ortiz**

ABSENT

Also present were: William W. Matz, Jr., Esq., Solicitor; Jay D. Schuster, Executive Director; Diana Moreno, Assistant Secretary; Housing Authority Staff Members; members of the general public.

The Minutes of the Regular Meeting of July 12, 2021 were presented. Mrs. Acevedo made a motion to accept the minutes of July 12, 2021. Mr. Ortiz seconded the motion.

Roll Call: Ayes – Acevedo/Ortiz/Solderitch/Linares; Nays – None

Mr. Ortiz made a motion to approve the monthly bills for July 2021.
Mr. Solderitch seconded the motion.

Roll Call: Ayes – Acevedo/Ortiz/Solderitch/Linares; Nays – None

Chairperson Linares commended that Mr. Snyder is doing a super job. When checks are presented to her for signature, they are noted in detail.

Under Old Business, Mr. Schuster reported one item. On July 12th the Board made a motion to approve a donation dependent upon HUD regulation for the purchase of swimming pool passes for BHA public housing residents. The request was made by Councilwoman Negron, but unfortunately the swimming pool passes fall in the category of Entertainment, including amusements, diversions, and social activities, and are considered unallowable expenses. Jay asked Attorney Matz, is there anything further we have to do at this point? Mr. Attorney Matz replied that no formal action is necessary because the approval was subject to allowances within the HUD regulations, which these allowances make it not a permissible expenditure.

Chairperson Linares asked do we do any kind of activities that are considered entertainment. Mr. Ortiz said they usually get baseball tickets and things like that. He did mention he gets free pool passes from the Parks Department at City Hall. He suggested that maybe we could see if they could give us any free pool passes for the residents of BHA. Mrs. Linares agreed. Mr. Ortiz said he will speak to them to see if they could help us with several passes for BHA developments. Chairperson Linares thanked Mr. Ortiz.

Under the Executive Directors' report, Mr. Schuster reported one item. He stated that there has been communication with the Mayor's office regarding the reappointment of Rogelio Ortiz for a new term. They are going to be recommending his reappointment to serve another term. He said that is good news.

08/09/2021

(2)

Under Committee Reports, Resident Advisory Committee. Mr. Ortiz stated that they've wrapped up the eight week summer program for the kids at the Center. They're looking forward to Saturday, August 14th, with Grace Church, doing Grow-A-Row, in which they give out free fruits and vegetables to the residents from 10:00 AM to noon. This will be the first time receiving it, and he believes it will run until October or November. Secondly, our next Resident Advisory Board meeting will be August 19th at 1pm

Under the Deputy's Executive Director's report, Mr. John Ritter reported that the monthly meeting with the BHA Community Police officers will be held on Wednesday August 11th, and at this time they will review any drug or criminal activity occurring on our properties.

Mr. Ortiz asked about the BHA channel for Lynfield. Mr. Kichline replied that he has been in contact with Service Electric, but it's been difficult to get them to get the equipment needed. He said it's been a while since he has spoken to them, but he will contact them to see if we can get things moving forward again.

It was noted that Mrs. McLendon joined the meeting.

RESOLUTION NO. 2533 OF 2021 - APPROVING OF THE CONTRACT FOR THE LYNFIELD RENOVATIONS - 23 TWO BEDROOM APARTMENTS. NOTE: (Resolution is entered separately as a part of these minutes.)

**Mr. Solderitch made a motion to approve the contract for the Lynfield renovations.
Mr. Ortiz seconded the motion.**

Roll Call: Ayes - Acevedo/Ortiz/Solderitch/McLendon/Linares; Nays - None

Chairperson Linares asked if these the last 23 units to get renovated. Mr. Kichline replied yes.

APPROVING OF THE NEW POLICE SERVICES AGREEMENT WITH THE CITY OF BETHLEHEM FOR THE PERIOD OF APRIL 1, 2021 THROUGH MARCH 31, 2023. NOTE: (Resolution is entered separately as a part of these minutes.)

**Mrs. McLendon made a motion to approve the new contract police services agreement.
Mrs. Acevedo seconded the motion.**

Roll Call: Ayes - Acevedo/Ortiz/Solderitch/McLendon/Linares; Nays - None

Under Miscellaneous Reports, Other Business - Board Members, Solicitors, and Staff.

Mrs. McLendon would like to know if BHA will sponsor an inflatable slide for a back to school block party on August 28, 2021. Mr. Ritter replied that she should talk to Mr. Robinson to sponsor the slide under recreational for the tenants.

Under Public Comments, Mr. Kevin Lynn brought up his concerns on the current hot temperatures. He said maybe we can work on something to help the residents. He understands we can't have pool passes, but he suggest maybe we can come up with something else. Mr. Schuster said if he has a specific recommendation we could consider it. He said they can discuss it further at our next Resident Advisory Board meeting. Mr. Kevin Lynn agreed.

08/09/2021

(3)

Mr. Indio Rodriguez attended the meeting with some kids and parents to voice his concerns for the kids in the community who are interested in the boxing program. He said they deserve the best, and how the boxing program would help them with their anxiety, depression and keep them off the streets because they don't have nothing else to do.

Mr. Ortiz asked Mr. Rodriguez if he received the paperwork from BHA on what is required in order to start the boxing program at Pembroke. Mr. Rodriguez replied that he received a letter from Attorney Matz, but it doesn't make sense to him, or the others who are helping him get the program started at Pembroke.

Attorney Matz stated that he received an inquiry from four different lawyers in the community concerning Mr. Indio's interest in the facility. He received calls from Attorney Devito, Attorney Cohen, Mr. Hagen called his office although he hasn't spoken to him, all supporting the program's involvement in some usage of the building. Attorney Matz did receive a copy of an insurance policy. He explained to the Board in the memo that he wrote, and followed up on Roy's question, and other ongoing questions, concerning this interest. There are various HUD matters that have to be dealt with in addition to the fact that Mr. Rodriguez has no organization in order to proceed with any kind of application process. To his understanding the building has not been reserved through the registration process required by HUD, and the PIC program. A facility usage assessment has to be done at the property, and that is a matter because of the fact of evaluating whether there are other residential service uses that need to be done. Then a renovation cost analysis has to be done, which has to come back to the commissioners.

In addition to the structural questions raised by Mr. Ortiz, in the initial stages as to anyone interested in this, there would have to be an application process which in start, could not be just an individual, it would have to be a corporation with insurance, and some sort of history of tax returns and things which were not available and haven't been available as I understand to date in the communications he's had with the attorneys. As it relates to it, was there a letter sent from my office to Mr. Indio, no there was not. There was communications with his representatives. Otherwise, the Commissioners have to go through a process. Now I don't know if the PIC registration issue, what happened here is with them communicating with HUD, they came back with some questions that haven't been answered yet I don't believe.

Mr. Schuster responded he has not heard anything yet, they're being considered, probably within the next week or two. Attorney Matz stated that there needs to be some paperwork done with HUD in the registration process before it can be moved to anything other than that. So there are a variety of things that have to be dealt with. He's not creating these obstacles, there a persistent request, but the housing authority has to go through those prompts before it can even get to a position of your application or registration, or any other usage questions.

Mr. Rodriguez asked can they get the paperwork. Attorney Matz said he does not have that paperwork. The registration process in place is in motion with HUD right now.

Mr. Schuster responded that it's an internal process between the housing authority and HUD. It's unrelated to any usage by an outside organization, it's an internal thing that failed to be done under previous administrations here that now need to be followed through before we can use the building for anything. That shouldn't take that long to take place, it should be done within the next

08/09/2021

(4)

couple weeks. It's a separate and distinct issue from any paperwork that would be necessary on the part of Indio's boxing gym for them to be considered as a tenant.

Attorney Matz stated the interest has invoked a variety of other issues that have to be dealt with. That's where it stands at this point. Mr. Ortiz said so we have to get feedback from HUD.

Mr. Schuster said he has a meeting this week. But once the matter is cleared up with HUD as to BHA's registry of the building that it has nothing to do and is completely separate from anything that would be used for the building. Whether it be a golfing center in there, which was done, Indio's boxing gym, a dance class, if we would convert the building to apartments. What we have to do with HUD is separate and completely distinct from any usage to any outside organization. Once we have our end taken care of, then these other things can be considered, but that would be dependent upon the organization's structure that would be using the building. The structure requires either corporate paperwork or non-profit status, tax returns for the organization that would be using the building, a set of bylaws, and a lease agreement, so there's much more involved than simply just saying you can use the building. There's a lot of things that have to take place so the housing authority is not, is properly set up so that we would not have a liability issue to whoever we would rent or whoever would want to use the facility.

Attorney Matz went on to say that if we model this off of what was done in the Philadelphia context, which is in part following HUD's closest to what we are talking about here, Indio's organization wouldn't even be able to make an application without separate entity and tax returns for at least the past three years. He wouldn't even be able to apply. Mr. Ortiz asked if he had three years of tax returns. Mr. Rodriguez and his associates responded that they have a non-profit called Creative Path First that they formed earlier this year. It's a corporate structure, he has it all set up. But he doesn't have three years of taxes.

Attorney Matz responded that tax returns are only one thing. There's criminal record checks, there's background checks and references that are all supposed to be part of it. We can't just take a person out there and say, on a personal basis, to make the application for that would go outside the regulations.

Mr. Indio Rodriguez conveyed his view on how the boxing program can really help the kids in the community. He was really looking forward to starting the program, and anticipated our full support. Mr. Ortiz stated that we fully support the program but we're just discovering all of the regulations that we have to abide by. That housing is a federal government agency and we must comply with all HUD regulations. Mr. Indio Rodriguez suggested that when we do decide to open the building, we should reach out to the community to hear what they would like to see open there.

Attorney Matz stated that this is not a critique on the program or the community needs. "There's nobody on this Board or his office that has a problem with the value of the program that Mr. Rodriguez is part of, or what the community needs. There's some regulations we have to get through to get to that point unfortunately. We didn't create this. We're just trying to process it".

Bethlehem Councilman J. William Reynolds, thanked everybody in the Bethlehem Housing Authority. "He said through the pandemic and the difficult times that we've had everybody here deserves a lot of credit. All of the staff, the members of the Board, I want to say thank you for that.

It's not easy to do a lot of things that the Housing Authority has been able to do over the last eighteen months are very impressive." He added to Mr. Rodriguez's comments. Mr. Rodriguez had reached out to him and several people on City Council, and he certainly understands. It seems to him that there are multiple tracks that for anything to go on inside the building it would have to occur, both with HUD, internally with the Housing Authority, and with Mr. Rodriguez.

He thinks that, with his own conversation with the City Council Solicitor, with Mr. Devito, is that on Mr. Rodriguez's side of it, is that those are not insurmountable things to be able to do, as far as establishing that organization and even as far as the HUD regulation for three years of tax returns, as far as how do you get a space for your organization until you've existed for three years, but if you haven't existed in a space, then how are you going to be able to have an organization? He completely understands, and that nothing can be done tomorrow, or next week, but he does think there is a general path here to get something done at some point, if everybody is going in the same direction. "These things are never easy to do, and everybody in this meeting knows that it's not easy to do. That's part of the challenges that we face in public housing, and recreation, and some of the systemic issues we deal in these areas. The best thing we can do at this time is take a look at how do we keep those communication lines open, how do we keep the checklist going of what needs to be done, whether it's Mr. Rodriguez's organization or a different use for that building, because the bottom line is, we do need to use all of our facilities. Obviously, there are things that we need to make sure we take care of both on the private side and the public side, but you know there is a need and a desire."

Mr. Rodriguez has a lot of connections to the community, and often times, I know Mr. Ortiz, and I've been trying to do my part to help in some of the similar types of issues with the Southside Little League. What it really takes is, it takes time, it takes people working in conjunction, and it takes an understanding that we are on a timeline, even if it's going to take a certain amount of time, months, a year, whatever it is, that we're making progress, because if not, people tend to get frustrated. I know Mr. Rodriguez didn't start with this idea, somebody came to him and said "don't you think this is a good idea?" and that's part of the reason why he's put time in and other people have as well. So like I said, I completely understand everything I've heard tonight and it's similar to conversations we've had at City Council level, but I think there is a path forward if everybody is moving in the same direction. Thank you again for all of your hard work during the pandemic."

Chairperson Linares and Mr. Schuster thanked Councilman J. William Reynolds for attending the meeting and his comments.

Chairperson Linares noted that the next regular board meeting is scheduled for Monday, September 13, 2021 at 4:00 P.M. There being no further business to transact, Chairperson Linares declared the meeting adjourned.

J.D. Schuster

Jay D. Schuster
Executive Director