

MINUTES OF RESCHEDULED CAUCUS MEETING – JULY 31, 2017

Minutes of Scheduled Caucus Meetings of the Board of Commissioners of the Housing Authority of the Town of West New York, in the County of Hudson, State of New Jersey held in the office of the Housing Authority at 6100 Adams Street, West New York, New Jersey 07093 on December 19, 2016.

Secretary Robert DiVincent called the scheduled meeting to order at 7:30 p.m.

ADEQUATE NOTICE OF THIS SCHEDULED MEETING HAS BEEN PROVIDED BY WAY OF THE SCHEDULED CAUCUS MEETINGS, SCHEDULED REGULAR MEETING, AND THE ANNUAL RE-ORGANIZATIONS MEETINGS DATED DECEMBER 19, 2016 POSTED ON THE BULLETIN BOARD, FORWARDED TO THE JERSEY JOURNAL, THE BERGEN RECORD, EL ESPECIALITO, AND THE CLERK OF THE TOWN OF WEST NEW YORK.

All Commissioners were present with the exception of Commissioners Alcantara, Fuentes and Rivera.

Mr. DiVincent referred to item #3 – Minutes of previous scheduled regular meeting dated June 19, 2017 asking if there were any corrections, additions, comments or questions. There were none. Also minutes of previous special meeting dated July 31, 2017 asking if there were any corrections, additions, comments or questions. There were none.

Mr. DiVincent then referred to items #4 through #6 – Claims–General Fund Program, Capital Fund Program and Section 8/WTW Program, asking if there were any corrections, additions, comments or questions. There were none.

With regard to Item # 7 New Business – the following resolutions were brought before the Board:

Resolution No. 2017–014- The Board was informed that only one (1) bid was received with William Katchen, CPA being the only response bidder and recommendation was made to award Fee Accounting Services Contract to William Katchen, CPA.

Resolution No. 2017–015- Awarding Storm & Sanitary Drain Cleaning Services Contract. A specification was generated and only one bid was received from Hernandez Plumbing. The Board was recommended contract be awarded to same.

Resolution No. 2017–016- The Authority advertised for bids and received three with Venore Electric as the lowest. The Board recommended contract to be awarded to Venore Electric as the lowest responsive bidder.

Resolution No. 2017–017- Amendment to the 5 Year Plan – The board was informed that an amendment to the 5 Year Plan needs to be done due to the RAD Program which is going to allow all are units to become a Project Vase Unit. Mr. DiVincent explained to the board that once all units are Project Vase Units the Housing Authority becomes the management agency for all units.

Resolution No. 2017–018- The Authority advertised for bids and received two. After careful review of all submittals the Board was recommended the contract be awarded to DLB Associates. DLB Associates has been with the Authority for the last four years and are very knowledgeable

Resolution No. 2017–019- Amendment to the Annual Contribution Contract- The board was informed that the CFP is a program which requires HUD to give us to annual contribution, this year in the amount of \$1,129,866.00 for capital improvements. The board was informed that once the RAD Program kicks off these payments will end but we are allowed to use them until then. We are still working through the process with RAD doing assessments of the buildings and we are looking on how we are going to fund the program.

Resolution No. 2017–020- Resolution permitting the executive director of the West New York Housing Authority to execute an assignment of the “exclusive option to lease and purchase real estate by and between the Housing Authority of the Town of West New York and West New York Housing Corporation,” together with such other documents as may be reasonably required by the NJHMFA.

Resolution No. 2017–021- The Board approved HUD Budget for PHA Fiscal Year beginning 10/1/2017.

Resolution No. 2017–022- The Board approved State Budget for PHA Fiscal Year beginning 10/1/2017.

At this time Mr. DiVincent informed the Board that closing for the senior building should be by end of August, beginning of October.

At this time Vice-Chairperson Roque made a motion to adjourn and Commissioner Fernandez seconded.

Meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Robert A. DiVincent
Secretary

MINUTES OF RESCHEDULED REGULAR MEETING JULY 31, 2017

Minutes of Scheduled Regular Meeting of the Board of Commissioners of the Housing Authority of the Town of West New York, in the County of Hudson, State of New Jersey held in the office of the Housing Authority at 6100 Adams Street, West New York, New Jersey 07093 on December 19, 2017.

Secretary Robert DiVincent called the meeting to order at 8:00 p.m.

ADEQUATE NOTICE OF THIS SCHEDULED MEETING HAS BEEN PROVIDED BY WAY OF THE SCHEDULED CAUCUS MEETING, SCHEDULED REGULAR MEETING AND THE ANNUAL RE-ORGANIZATION MEETING DATED DECEMBER 19, 2016 POSTED ON THE BULLETIN BOARD, FORWARDED TO THE JERSEY JOURNAL, THE BERGEN RECORD, EL ESPECIALITO, THE CLERK OF THE TOWN OF WEST NEW YORK

Saluted the Flag

The roll was called as follows:

PRESENT: Chairman Parkinson, Vice-Chairperson Roque, Commissioner Fernandez, and Commissioner Schuerle.

ABSENT: Commissioner Alcantara, Commissioner Fuentes and Commissioner Rivera.

At this time Mr. DiVincent referred to item # 3 - Minutes of Previous Regular meeting dated June 19, 2017. Board was asked to approve as presented. Said motion was made by Chairman Parkinson and seconded by Commissioner Scheurle. The roll was called as follows:

YEAS: Vice-Chairperson Roque, Commissioner Fernandez, and Commissioner Schuerle.

NAYS: None

ABSTAIN: Chairman Parkinson

At this time Mr. DiVincent referred to item # 3 A- Minutes of Previous Special meeting dated July 11, 2017. Board was asked to approve as presented. Said motion was made by Vice-Chairperson Roque and seconded by Commissioner Fernandez. The roll was called as follows:

At this time Mr. DiVincent referred to items #4- Claims – General Fund, #5- Claims – Capital Fund Program #6 – Claims – Section 8 Voucher Program. Asking for a motion to accept as presented. Said motion was made by Chairman Parkinson and seconded Vice-Chairperson Roque. The roll was called as follows:

YEAS: Chairman Parkinson, Vice-Chairperson Roque, Commissioner Fernandez, and Commissioner Schuerle.

NAYS: None

At this time Mr. DiVincent referred to Item #7 – Consent vote for items 2017-014 to 2017-022

At this time Resolution No. 2017-014 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter ‘Authority’) is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992, C. 79 as amended (Chapter 12A-1 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

WHEREAS, the Authority caused to be published a Request for Proposals for Fee Accountant Services, in compliance with HUD procurement regulations; and

WHEREAS, on June 27, 2017 the Authority received a proposal from **William Katchen, CPA**,

WHEREAS, the Authority accepted a bid from:

	Annual Fee	Principal Hourly Rate
William Katchen	\$65,400.00	\$150.00 per hour

WHEREAS, pursuant to the Request for Proposals and HUD procurement regulations, the proposal was received and scored by the Authority’s Review and Evaluation Committee, consisting of Executive Director Robert A. DiVincent, Consultant Richard Keefe with the William Katchen, CPA being the only bidder

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby awards a contract for Fee Accounting Services to **William Katchen, CPA** for an amount not to exceed \$65,400 in accordance with HUD regulations, the Request for Proposals and for a period of one (1) year, August 1, 2017 to July 31, 2018.

BE IT FURTHER RESOLVED that the Authority Chairman and Executive Director are hereby authorized and empowered to take whatever action may be necessary and execute any documents that may be required, on behalf of the Authority, after consultation with legal counsel, to effectuate the purposes of this Resolution.

At this time Resolution No. 2017-015 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter ‘Authority’) is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992, C. 79 as amended (Chapter 12A-1 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

WHEREAS, the Authority accepted proposals for the following services “**Storm and sanitary Sewer Cleaning System**”, on or before Thursday, June 29, 2017 at 10:00 AM; and

WHEREAS, All services must be in accordance with the existing laws, rules, orders, directives and regulations governing these services and supplies; and

WHEREAS, the Authority accepted only one bid from:

NAME

Hernandez Sewer & Drain Cleaning Services – Bogota, NJ

WHEREAS, the Authority has been advised by its Counsel, Frank Leanza, **Hernandez Sewer & Drain Cleaning Services**, is therefore the sole responsive bidder.

NOW, THEREFORE BE IT RESOLVED that the Authority hereby award the Storm and Sanitary Sewer Line Cleaning Systems 2 year Contract to **Hernandez Sewer & Drain Cleaning Services** for their price bid.

BE IT FURTHER RESOLVED, that the Authority Chairman and Executive Director are hereby authorized and empowered to take whatever action may be necessary and execute any documents that may be required, on behalf of the Authority, after consultation with legal counsel, to effectuate the purposes of this Resolution.

At this time Resolution No. 2017-016 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter ‘Authority’) is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992, C. 79 as amended (Chapter 12A-1 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

WHEREAS, on Thursday, June 27, 2017 at 11:15 a.m. the Authority received the following bids for Electrical Services:

<u>Name of Bidder</u>	Flat Hourly Rate		Flat Hourly Rate	
	<u>Regular</u>	<u>Hours Mon-Fri after Sat/Sun/Holidays</u>	<u>Regular</u>	<u>Hours Mon-Fri</u>
Magic Touch Keyport, NJ	\$98.71		\$148.06	\$197.42

Vanore Electric Hackensack, NJ	\$85.86	\$128.79	\$171.72
Sals Electric Jersey City, NJ	\$118.00	\$177.00	\$236.00

NOW, THEREFORE BE IT RESOLVED that the Authority hereby award the Electrical Services Contract to **Vanore Electric** as the lowest bidder;

BE IT FURTHER RESOLVED, that the Authority Chairman and Executive Director are hereby authorized and empowered to take whatever action may be necessary and execute any documents that may be required, on behalf of the Authority, after consultation with legal counsel, to effectuate the purposes of this Resolution.

At this time Resolution No. 2017-017 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter ‘Authority’) is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992, C. 79 as amended (Chapter 12A-1 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

BE IT RESOLVED that the Authority’s FY 2017 PHA Agency Plan, which includes its FY 2017 Annual Plan and its 5-Year Plan for FYs 2017-2021, copies of which are attached hereto and made a part hereof by reference, be, and hereby are approved.

At this time Resolution No. 2017-018 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter "Authority") is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

WHEREAS, the Authority accepted proposals for the following services – **Mechanical Engineering**, on or before, Wednesday, July 12, 2017 at 11:00 AM.; and

WHEREAS, All services must be in accordance with the existing laws, rules, orders, directives and regulations governing these services and supplies; and

WHEREAS, the Authority accepted bids from:

NAME

LAN Associates – Midland Park, NJ

DLB Associates - Eatontown, NJ

WHEREAS, pursuant to the Request for Proposals and HUD procurement regulations, the proposals were reviewed and scored by the Authority’s Review and Evaluation Committee, consisting of Consultant Keefe and Executive Director Robert DiVincent; with the **DLB Associates** proposal being scored the highest.

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby awards a contract for said services to **DLB Associates**, in accordance with HUD regulations.

At this time Resolution No. 2017-019 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter "Authority") is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

WHEREAS, The West New York Housing Authority – NJ 030 (herein called the “PHA”) and the United States of America, Secretary of Housing and Urban Development (herein called “HUD”) entered into Consolidated Annual Contributions Contract(s) (ACC) Number(s) **NY391 dated 8/1/1950**

WHEREAS, HUD has agreed to provide CFP assistance, upon execution of this Amendment, to the PHA in the amount to be specified in the attached form **HUD-53012** for the purpose of assisting the PHA in carrying out capital and management activities at existing public housing developments in order to ensure that such developments continue to be available to serve low-income families. HUD reserves the right to provide CFP assistance in this FY to the PHA. HUD will provide a revised ACC Amendment authorizing such additional amounts. **\$ 1,129,866.00** for Fiscal year 2017 to be referred to under Capital Fund Grant Number **NJ39P03050117** PHA Tax Identification Number (TIN): On File DUNS Number: On File.

At this time Resolution No. 2017-020 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter "Authority") is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

RESOLUTION PERMITTING THE EXECUTIVE DIRECTOR OF THE WEST NEW YORK HOUSING AUTHORITY TO EXECUTE AN ASSIGNMENT OF THE "EXCLUSIVE OPTION TO LEASE AND PURCHASE REAL ESTATE BY AND BETWEEN THE HOUSING AUTHORITY OF THE TOWN OF WEST NEW YORK AND WEST NEW YORK HOUSING CORPORATION," TOGETHER WITH SUCH OTHER DOCUMENTS AS MAY BE REASONABLY REQUIRED BY THE NJHMFA

WHEREAS, the West New York Housing Authority has received approval from the U.S Department of Housing and Urban Development ("HUD") to substantially rehabilitate 281 residential units (collectively, the "Project") located in four of the Authority's family properties known as Palisades Gardens, Parkeast Gardens, Sunshine Gardens and Joseph "Whitey" Apartment Complexes (the "Improvements") through HUD's Rental Assistance Demonstration ("RAD") program; and

WHEREAS, in order to facilitate financing for the project and in accordance with the Authority's RAD approval, the Authority intends to lease the underlying land located at 4911 Palisade Avenue & 405, 409, 415, 419 & 423- 50th Street; 5806 & 5814 Park Avenue; 515 54th Street; and 590 62nd Street (the "Property"), and transfer the Improvements, to a separate owner entity, provided that the owner entity secures financing satisfactory to the Authority; and

WHEREAS, all of the units in the Project will be operated and maintained as qualified low income units under Section 42 of the Internal Revenue Code of 1986, as amended ("Section 42"), for a period of not less than the compliance period and any extended use period (as such terms are defined in Section 42); and

WHEREAS, the Authority and the West New York Housing Corporation (the "Corporation") have applied to the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") for an allocation of 4% low income housing tax credits to finance a portion of the cost of developing the Project; and

WHEREAS, the Authority and the Corporation have applied to the NJHMFA for tax exempt construction and permanent financing as well as an allocation of 4% low income housing tax credits to assist in the cost of developing the Project; and

WHEREAS, the Authority and the Corporation have previously entered into an "Exclusive Option to Lease and Purchase Real Estate by and between The Housing Authority of the Town of West New York and West New York Housing Corporation" (the "Option Agreement"); and

WHEREAS, the parties thereto now want to assign the Option Agreement from the Corporation to the newly formed ownership entity, West New York RAD III, LP (the "Owner Entity"); and

WHEREAS, the Authority consents to, and approves of the assignment of the Option Agreement from the Corporation to the Owner Entity; and

WHEREAS, the Corporation consents to, and approves of the assignment of the Option Agreement from the Corporation to the Owner Entity.

NOW THEREFORE, BE IT RESOLVED that the Executive Director of the West New York Housing Authority be and is permitted to execute any and all documents necessary in order to assign the "Exclusive Option to Lease and Purchase Real Estate by and between the Housing Authority of the Town of West New York and the West New York Housing Corporation," a copy of which is annexed hereto as Exhibit "A", from the Corporation to West New York RAD III, LP; and

BE IT FURTHER RESOLVED that the Executive Director of the Authority is further authorized to prepare, execute and submit to the New Jersey Housing and Mortgage Finance Agency any and all such other documents as may be reasonably required by the NJHMFA to complete its application process and for the Project to receive approval from the NJHMFA, including but not limited to documents evidencing the Authority's intention to purchase bonds secured by one or mortgages on the Property and Improvements as part of the overall financing of the Project.

At this time Resolution No. 2017-021 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter "Authority") is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

Demonstration of a Successful Conversion to Asset Management (Stimp-Luss) Submission Kit

Board Resolution Approving the AMP Budgets
 PHA Board Resolution
 Approving Operating Budget

OMB No. 2577-0026 Approving
 (exp. 10/31/2009)

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 Real Estate Assessment Center (PIH-REAC)

Previous editions are obsolete form HUD-52574 (08/2005) Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. This information is required by Section 6(c)(4) of the U.S. Housing Act of 1937. The information is the operating budget for the low-income public housing program and provides a summary of the proposed/budgeted receipts and expenditures, approval of budgeted receipts and expenditures, and justification of certain specified amounts. HUD reviews the information to determine if the operating plan adopted by the public housing agency (PHA) and the amounts are reasonable, and that the PHA is in compliance with procedures prescribed by HUD. Responses are required to obtain benefits. This information does not lend itself to confidentiality.

PHA Name: West New York Housing Authority

PHA Code: NJ030

PHA Fiscal Year Beginning: 10/1/2017

Board Resolution Number: _____

Acting on behalf of the Board of Commissioners of the above-named PHA as its Chairperson, I make the following certifications and agreement to the Department of Housing and Urban Development (HUD) regarding the Board's approval of (check one or more as applicable):

DATE

Operating Budgets (for COCC and all Projects) approved by Board resolution on: _____

7/31/2017

Operating Budget submitted to HUD, if applicable, on: _____

Operating Budget revision approved by Board resolution on: _____

Operating Budget revision submitted to HUD, if applicable, on: _____

I certify on behalf of the above-named PHA that:

1. All statutory and regulatory requirements have been met;
2. The PHA has sufficient operating reserves to meet the working capital needs of its developments;
3. Proposed budget expenditures are necessary in the efficient and economical operation of the housing for the purpose of serving low-income residents;
4. The budget indicates a source of funds adequate to cover all proposed expenditures;
5. The PHA will comply with the wage rate requirement under 24 CFR 968.110(e) and (f); and
6. The PHA will comply with the requirements for access to records and audits under 24 CFR 968.325.

I hereby certify that all the information stated within, as well as any information provided in the accompaniment herewith, if applicable, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012.31, U.S.C. 3729 and 3802)

Print Board Chairman's Name:	Signature:	Date:
------------------------------	------------	-------

Previous editions are obsolete form

HUD-52574 (08/2005)

At this time Resolution No. 2017-022 was read as follows:

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter "Authority") is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

WHEREAS, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter "Authority") is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

**2017 HOUSING AUTHORITY BUDGET RESOLUTION
West New York Housing Authority**

FISCAL YEAR: FROM:10/1/2017 TO:9/30/2018

WHEREAS, the Annual Budget and Capital Budget for the west New York Housing Authority for the fiscal year beginning, October 1, 2017 and ending, September 30, 2018 has been presented before the governing body of the West New York Housing Authority at its open public meeting of July 31, 2017; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 9,459,805, Total Appropriations, including any Accumulated Deficit if any, of \$ 9,397,350 and Total Unrestricted Net Position utilized of _____0_____;

and
WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$695,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$_____0_____;

and
WHEREAS, the schedule of rents, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the West New York Housing Authority, at an open public meeting held on July 31, 2017 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the West New York Housing Authority for the fiscal year beginning, 10/1/2017 and ending, 9/30/2018 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Housing Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the West New York Housing Authority will consider the Annual Budget and Capital Budget/Program for adoption on September 18, 2017.

(Secretary's Signature)

(Date)

Governing Body Member:	Recorded Vote	Aye	Nay	Abstain	Absent
------------------------	---------------	-----	-----	---------	--------

Mr. DiVincent asked if there were any questions, there were none. Since there were none, he asked for a motion to approve. Said motion was made by Chairman Parkinson and seconded by Commissioner Fernandez. The roll was called as follows:

YEAS: Chairman Parkinson, Vice-Chairperson Roque, Commissioner Fernandez, and Commissioner Schuerle.

NAYS: None

At this time Mr. DiVincent informed the Board that another Board for is being form for the RAD Program. Their first meeting will be in August, he invited Chairman Parkinson and Vice-Chairperson Roque to attend the meeting. Also he informed the Board that with the RAD Program now for the first time the Housing Authority-Family buildings will have 5% ADA compliance units.

At this time Mr. DiVincent asked if there were any corrections, additions, comments or questions. There were none.

At this time Vice-Chairperson Roque made a motion to adjourn and Commissioner Fernandez seconded.

Meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Robert A. DiVincent
Secretary