

MINUTES SCHEDULED CAUCUS MEETING – MARCH 27, 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.

Mr. DiVincent referred to item #3 – Minutes of previous scheduled regular meeting dated February 28, 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.

At this time Mr. DiVincent explain to the board that we had a mouse problem in the compactor room but it has been taking care of it.

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

Resolution No. 2017–004- Authorizing agreement for employment of Robert DiVincent as Executive Director. This extends to a 5 year period into Mr. DiVincent management contract after Chairman’s evaluation and board approval.

Resolution No. 2017-005- Application to the Local Finance Board Pursuant to N.J.S.A. 40a:5a-6 in connection with the Issuance of one or more series of Housing Revenue Bonds (Rad). The Director also informed the Board that the money will only go to fix the buildings or to pay any debt the building may have. Also Mr. DiVincent informed the Board that the Town only involvement is in regards to the interest rate, which that resolution was given to them to approve at their next meeting.

At this time Mr. DiVincent mentioned to the board that the RAD Program doesn’t affect the tenants portion of the rent, tenants will keep paying 30% of their income. He explained that repairs will be done as occupied repairs. The Housing Authority will provide coffee and donuts for the tenants at the community room and tenants will be able to return to their units at the end of the date. Also he explained that all RAD repairs are going to be done with a general contractor.

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 SCHEDULED REGULAR MEETING MARCH 27, 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-Rodriguez, Vice-Chairperson Roque, Commissioners Fernandez, Commissioner Fuentes and Commissioner Scheurle.

ABSENT: None

At this time Mr. DiVincent referred to item # 3 A - Minutes of Previous Regular Scheduled Meeting dated February 28, 2017. Board was asked to approve as presented. Said motion was made by Commissioner Vice-Chairperson Roque and seconded by Comm. Scheurle. The roll was called as follows:

YEAS: Chairman-Rodriguez, Vice-Chairperson Roque, Commissioners Fernandez, Commissioner Fuentes and Commissioner Scheurle.

NAYS: None

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 Vice-Chairperson Roque and seconded Commissioner Fernandez. The roll was called as follows:

YEAS: Chairman-Rodriguez, Vice-Chairperson Roque, Commissioners Fernandez, Commissioner Fuentes and Commissioner Scheurle.

NAYS: None

At this time Mr. DiVincent referred to Item #7 –

At this time Resolution No. 2017-004 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 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, pursuant to N.J.S.A. 40A-12A-18, and as approved by the Department of Community Affairs, Division of Housing and Community Resources, the Authority has had a renewing five (5) year employment contract with its Executive Director, Robert A. DiVincent since October 14, 1999; and

WHEREAS, the Authority's Chairman has completed the Performance Evaluation as required by the existing employment contract.

NOW, THEREFORE, BE IT RESOLVED that the Authority's Chairman and its assistant secretary, are authorized to execute, on behalf of the Authority, an Agreement of the form attached hereto, with the Authority's Executive Director, Robert A. DiVincent.

At this time Resolution No. 2017-005 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 Housing Authority of the Town of West New York (the "Authority") is a public body corporate and politic, constituting an instrumentality of the State of New Jersey (the "State"), created by the Town of West New York (the "Town") pursuant to the provisions of the Housing Authorities Law, Chapter 67 of the Pamphlet Laws of 1950, codified at N.J.S.A. 55:14A-1 *et seq.*, repealed and replaced by the Local Redevelopment and Housing Law, under Chapter 79 of the Pamphlet Laws of 1992, as amended and supplemented, and codified at N.J.S.A. 40A:12A-1 *et seq.* (the "Act");

WHEREAS, the Authority owns and operates residential rental public housing projects, for which it received approval from the United States Department of Housing and Urban Development ("HUD") to convert to Authority owned and operated multifamily housing under the Rental Assistance Demonstration program, P.L. 112-55 (2012) ("RAD"), administered by HUD;

WHEREAS, the Authority will submit an application for HUD approval of its physical needs assessment ("PNA") and the Authority's financing plan in order to receive approval of the financing plan and obtain a RAD Conversion Commitment ("RCC") from HUD;

WHEREAS, the Act authorizes the Authority to issue bonds, notes or other obligations (N.J.S.A. 40A:12A-16(5) and -29);

WHEREAS, furtherance of the purposes of the Act, and in order to comply with requirements of the RAD program, the Authority proposes to issue one or more series of bonds in an aggregate principal amount not to exceed \$4,500,000 (the "Bonds"), in addition to the application of other available funds of the Authority resulting in a total transaction in an amount not to exceed \$4,500,000 to the RAD and to apply the proceeds of the Bonds and other available moneys of the Authority (i) to finance capital improvements to the housing project that is subject to the RAD program and reserves relating thereto, (ii) to refund existing debt with respect to the housing project that is the subject to the RAD program, and/or (iii) pay costs of issuance in connection therewith (collectively, the "Project");

WHEREAS, the Bonds, when issued, will be special and limited obligations of the Authority, and neither the Town, nor any political subdivision thereof (other than the Authority, but solely to the extent of the trust estate as defined in the Bond Resolution (defined below)), will be obligated to pay the principal or redemption price of, or interest on, the Bonds, and neither the faith and credit nor the taxing power of the Town or any political subdivision thereof will be pledged to the payment of the principal or redemption price of, or interest on, the Bonds;

WHEREAS, the Bonds will be issued pursuant to the terms of the Act, other applicable law and agreements and a resolution to be adopted by the Authority prior to the issuance of the Bonds (collectively, together with any amendments or supplements, the “Bond Resolution”); and

WHEREAS, the Authority’s ability to issue the Bonds requires authorization of certain matters and certain actions to be undertaken by the Authority officials, officers, and professionals, including, but not limited to, the preparation and submission of an application to the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (the “Local Finance Board”), and

WHEREAS, the Authority desires to conduct a private sale of the Bonds in an aggregate amount not to exceed \$4,500,000 to provide funds to undertake the Project, and desires to make application to the Local Finance Board for (i) the applicable project financing review required pursuant to the provisions of the Local Authorities Fiscal Control Law, specifically N.J.S.A. 40A:5A-6, and (ii) the approval of the private sale of the Bonds pursuant to the Act, specifically N.J.S.A. 40A: 12A- 29(a); and

WHEREAS, the Authority believes that:

- (a) it is in the public interest to accomplish the Project;
- (b) the Project is for health, welfare, convenience, or betterment of the inhabitants of the Township;
- (c) the amounts to be expended for the Project is not unreasonable or exorbitant; and
- (d) the Project is an efficient and feasible means or providing services for the needs of the inhabitants of the Township and create an undue financial burden to be placed upon the Township;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Housing Authority of the Town of West New York, in the County of Hudson, New Jersey, as follows:

Section 1. The preparation and submission of an application to the Local Finance Board (the “Application”) is hereby authorized and directed to be made by the Authority’s Financial Advisor and Bond Counsel and other officials, officers and professionals of the Authority, including, but not limited to, the Executive Director, Vice Chairman, the Secretary, the Assistant Secretary, the Authority’s Auditor, and the Authority’s General Counsel, and along with other representatives of the Authority, are each hereby authorized and directed to represent the Authority in matters pertaining to such Application.

Section 2. The Local Finance Board is hereby respectfully requested to consider such Application and to record its findings, recommendations and/ or approvals as provided in the applicable New Jersey Statutes.

Section 3. The Authority’s Secretary or Assistant Secretary is hereby directed to prepare and file a certified copy of this resolution with the Financial Advisor, Bond Counsel, and the Local Finance Board in support of the Application.

At this time Mr. DiVincent informed the Board that when the weather gets better he would like to schedule a tour of all the buildings for the new Commissioners.

At this time Vice-Chairman Rodriguez explained to the Board that his time as Commissioner has expired. He thanks the Director and the Commissioner for the opportunity given to him by saying it was a pleasure to work with them.

At this time Mr. DiVincent thanks Commissioner Rodriguez for all his support through the years.

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 Fuentes seconded.

Meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Robert A. DiVincent
Secretary