

MINUTES SCHEDULED CAUCUS MEETING – MAY 22, 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 Commissioner Fuentes.

At this time Ruben Rivera was sworn in as a new commissioner of the West New York Housing.

Mr. DiVincent referred to item #3 – Minutes of previous scheduled regular meeting dated April 17, 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. 2017–009- Resolution of the West New York Housing Authority approving the terms of the property leasing and management agreement with the West New York Housing Corporation.

Resolution No. 2017–010- The Board was informed that there were two bidders, Bill's Landscaping been the lowest bidder. The Authority has concerns about Bill's Landscaping's ability to complete the task for the amount bid and the Authority will monitor this contract to ensure compliance. Also the contract will included a 30 day cancellation by the Housing Authority.

Mr. DiVincent informed the Board that the RAD Program is moving forward. Closing for the Senior Buildings should be done by August and family buildings in November.

Mr. DiVincent informed the Board that renovation will star using Capital Fund money.

At this time Chairman Parkinson 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 MAY 22, 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 Alcantara, Commissioner Fernandez, Commissioner Rivera and Commissioner Schuerle.

ABSENT: Commissioner Fuentes

At this time Mr. DiVincent referred to item # 3 A - Minutes of Previous Regular Scheduled Meeting dated April 17, 2017. Board was asked to approve as presented. Said motion was made by Chairman Parkinson and seconded by Commissioner Alcantara. The roll was called as follows:

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

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 Parkinson, Vice-Chairperson Roque, Commissioner Alcantara, Commissioner Fernandez, Commissioner Rivera and Commissioner Schuerle.

NAYS: None

At this time Mr. DiVincent referred to Item #7

At this time Resolution No. 2017-009 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 (the “Authority”), a public housing agency as defined in the United States Housing Act of 1937, 42 U.S.C. 1437a(b)(6) (“PHA”) with a Section 8 Annual Contributions Contract with the United States Department of Housing and Urban Development (“HUD”), is the fee simple owner of affordable residential rental public housing projects located at the following addresses: 6300 Adams Street, West New York, NJ (McGowan), Block 157, Lot 1; 5800 Jefferson Street, West New York, NJ (Otis Gardens), Block 129, Lot 33; 6100 Adams Street, West New York, NJ (F.D.R.), Block 147, Lot 1; and 430 62nd Street, West New York, NJ (Kennedy Towers), Block 34, Lot 7 (the “Projects”); and

WHEREAS, the Authority received a RAD Conversion Commitment (“RCC”), dated April 7, 2017 and as amended, from HUD to convert its proposed projects to Authority-owned and operated multifamily housing under the Rental Assistance Demonstration Program, P.L. 112-55 (2012) (“RAD”; implemented through Notice PIH 2012-32), administered by HUD; and

WHEREAS, the Authority proposes to convert funding to project-based voucher (“PBV”) assistance under the RAD Program (codified at 42 U.S.C. 1437f(o)(13) and implemented at 24 CFR Part 983), and in connection therewith is required to enter into PBV Housing Assistance Payment (“HAP”) contracts and Rental Assistance Demonstration Use Agreements (“RAD Use Agreement”) with respect to the Projects; and

WHEREAS, the “Rental Assistance Demonstration Project (RAD) Quick Reference Guide for Public Housing Projects Converting to Project-Based Voucher (PBV) Assistance, Department of Housing and Urban Development (HUD), October 2014”, at Sections 2 and 3, provides that (i) the RAD PBV HAP contract must be signed by the owner of the project and the PHA administering the PBV assistance, acting as a contract administrator, (ii) the contract administrator and the owner cannot be the same legal entity, and (iii) the PHA must hire an independent entity, approved by HUD, to perform the housing quality standards (“HQS”) inspections and render reasonableness determinations (24 CFR Sec. 983.59); and

WHEREAS, where a PHA is the fee owner of projects, HUD allows the PHA to contract with an affiliated entity to lease and manage projects and to assume the obligations of the “owner” (“HAP Owner”) under the RAD PBV HAP contract, and also requires that such affiliated entity execute a RAD Use Agreement in the capacity as an owner; and

WHEREAS, the West New York Housing Corporation (“WNYHC”) is organized a not-for-profit corporation under the laws of the State of New Jersey; and

WHEREAS, the Authority desires to appoint WNYHC as its agent for the leasing and management of the Projects, to assume the obligations as HAP Owner under each RAD PBV HAP contract, and to enter into each RAD Use Agreement, and WNYHC hereby accepts such appointment and assumes such obligations via reciprocal Resolution adopted by the WNYHC; and

WHEREAS, the Authority desires to approve the terms and conditions of a Property Leasing and Management Agreement with the WNYHC (the “Agreement”), in substantially the form attached hereto as Exhibit A.

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

1. The Authority hereby appoints WNYHC as its agent for the leasing and management of the Projects, to assume the obligations as HAP Owner under the each RAD PBV HAP contract, and to enter into each RAD Use Agreement, in accordance with the terms of the Agreement.
2. The Authority hereby approves the terms of the Agreement in substantially the form attached hereto as Exhibit A with such revisions as approved by Special Counsel, and authorizes the execution and delivery of such Agreement by the Chairman, Executive Director and Secretary of the Authority, as applicable.
3. This Resolution shall take effect immediately.

I, the Executive Director and Secretary of the West New York Housing Authority, do hereby certify that the within resolution entitled, “RESOLUTION OF THE WEST NEW YORK HOUSING AUTHORITY APPROVING THE TERMS OF A PROPERTY LEASING AND MANAGEMENT AGREEMENT WITH THE WEST NEW YORK HOUSING CORPORATION,” was adopted at a meeting of the Authority duly called and held on May 22th, 2017, at which meeting a quorum was present and acting throughout, by a majority of the full membership of the Board of Commissioners. Such resolution has not been amended, modified, or repealed, and is in full force and effect as of the date hereof and is a true copy of the whole of the resolution.

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 Alcantara, Commissioner Fernandez, Commissioner Rivera and Commissioner Schuerle.

NAYS: None

At this time Mr. DiVincent referred to Item #7

At this time Resolution No. 2017-010 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 advertised for and accepted Bids for Landscape Maintenance Service on May 22, 2017; and

WHEREAS, there was two bidders as follows:

Bill’s Landscaping	\$36,500.00
D & G Landscaping	\$72,000.00

WHEREAS, said bid has been reviewed by Housing Authority Attorney, Frank Leanza, and found in legal conformance;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of this Authority that the Executive Director be and hereby is authorized to enter into a contract with **Bill's Landscaping** for a period of two (2) years in the amount of **\$36,500**.

WHEREAS, The Authority has concerns about Bill's Landscaping's ability to complete the task for the amount bid; and

WHEREAS, The Authority will monitor this contract to ensure compliance; and

NOW, THEREFORE, BE IT RESOLVED that this contract will be awarded to Bill's Landscaping and that the contract will include a 30 day cancellation clause so that in the event that the Authority feels that the contractor is not complying, the Authority will then redid the contract and that the contractor will not be permitted to rebid the contract.

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 Alcantara, Commissioner Fernandez, Commissioner Rivera and Commissioner Schuerle.

NAYS: None

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