

**MINUTES SCHEDULED CAUCUS MEETING –NOVEMBER 23, 2015**

**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 15, 2014.**

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 15, 2014 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 Perez.

Mr. DiVincent referred to item #3 – Minutes of previous scheduled regular meeting dated October 19, 2015 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. 2015–045 Fiscal Year 2015-2016 – Flat Rent Policy. Mr. DiVincent explained to the board how the Housing Authority charges 30% across the board to all tenants but there are situations where the tenant qualify when they move in but after a few years their entire household income goes up, then the tenant pays more than 30% and at this point the Housing Authority offered them the choice of 30% or the flat rent which is 85% of what their apartment will pay anywhere else in this area.

Resolution No. 2015-046 Three years Union Contract, October 1, 2014 to September 30, 2017. Mr. DiVincent explain to the board that the employees will received 3% or \$1,250.00 whichever is greater, also changes were made with regards to asking for vacations. Employees no longer could call in vacation days, if taking only one day they need to be requested 48 hours prior, if taking two weeks they need to be requested two weeks prior. Also the board was informed that the office staff will be using uniforms (black, grey or navy blue) slacks with a blue shirt and a name tag. Commissioner Roque question about the shoes and Mr. DiVincent explain that the Housing Authority will be paying for 5 blouses and that the employees are responsible for the rest.

Resolution No. 2015-047 Settlement Agreement of Ricardo Saez- At this time Mr. DiVincent explain to the board that Ricardo Saez has agreed to the One Strike you're Out Policy. Vice-Chairperson Roque expressed her concerns about the situation, she agreed to go along with the board but insisted that Mr. DiVincent must monitor the situation and report back to the board in a monthly basic. Mr. DiVincent informed the board that Ricardo Saez will be working in the boiler rooms and will be supervise at all time by himself and other two employees. Also the board was informed that Ricardo Saez didn't get protected at all and was suspended for 6 months.

At this time Mr. DiVincent reminded the board that the Housing Authority is moving forward with the RAD Program and the PCA has been completed. Mr. DiVincent explained that PCA came back twice more than he thought (50 million dollars) but the Housing Authority doesn't have the borough capacity for that amount, borough capacity is between 20 and 24 million dollars only. Mr. DiVincent also explained to the board that the program has 3 options which are to do one end, the other end or all the Housing Authority which he prefers.

At this time Mr. DiVincent reminded the board of the annual Christmas Party which will be held December 18, 2015 at 7:00 pm at Marinero Grill.

At this time Vice-Chair Roque made a motion to adjourn and Commissioner Fuentes seconded.

Meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Robert A. DiVincent  
Secretary

**MINUTES SCHEDULED REGULAR MEETING NOVEMBER 23, 2015**

**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 15, 2014.**

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 16, 2013 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: Commissioners Fernandez, Fuentes, Oms, Chairman-Rodriguez and Vice-Chairperson Roque

ABSENT: Commissioner Perez

At this time Mr. DiVincent referred to item # 3 - Minutes of Previous Regular Scheduled Meeting dated October 19, 2015. Board was asked to approve as presented. Said motion was made by Commissioner Vice-Chairperson Roque and seconded by Comm. Fernandez. The roll was called as follows:

YEAS: Commissioners Fernandez, Fuentes, Oms, Chairman-Rodriguez and Vice-Chairperson Roque

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 Commissioner Fernandez and seconded Commissioner Oms. The roll was called as follows:

YEAS: Commissioners Fernandez, Fuentes, Oms, Chairman-Rodriguez and Vice-Chairperson Roque

NAYS: None

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

At this time Resolution No. 2015-045 was read as follows:

**RESOLUTION NO. 2015 – 045**

**WHEREAS**, THE WEST NEW YORK HOUSING AUTHORITY (hereinafter “Authority”) is a public body, duly formed under the LOCAL REDEVELOPMENT AND HOUSING LAW, L. 1992 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 for Fiscal Year 2015/2016 – Flat Rent Policy, in compliance with HUD procurement regulations; and

**WHEREAS**, on October 27, 2015, the Authority has complies with the aforesaid provision regarding tenant notification of the subject change and afforded its public housing residents and opportunity to provide input and comment with regard to same.

**NOW, THEREFORE, BE IT RESOLVED**, that any provisions of the Authority’s Public Housing and Admissions Policy which are found to be contrary to or contradict the provisions set forth in the Flat Rent Policy adopted hereunder, be and herby are rescinded.

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

YEAYS: Commissioners Fernandez, Fuentes, Oms, Chairman-Rodriguez and Vice-Chairperson Roque

NAYS: None

Mr. DiVincent declared Resolution No. 2015 – 045 so moved.

At this time the Mr. DiVincent referred to Resolution No. 2015 – 046

At this time Resolution No. 2015-046 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 as amended (Chapter 12A-1 of Title 40A of the New Jersey Statutes Annotated) and possesses the power set forth therein; and

**WHEREAS**, Agreement between the West New York Housing Authority and Communications of America – 10/1/2014 – 9/30/2017 has been negotiated and approved by the membership; and

**WHEREAS**, The West New York Housing Authority has budgeted in accordance with the propose agreement

**Therefore be it resolved**, that the agreement as attached be and hereby is approved and that the Director be authorized to sign such agreement.

**Be it further resolve**, that he attached agreement once executive be copied and distributed to the membership.

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

YEAYS: Commissioners Fernandez, Fuentes, Oms, Chairman-Rodriguez and Vice-Chairperson Roque

NAYS: None

Mr. DiVincent declared Resolution No. 2015 – 046 so moved.

At this time the Mr. DiVincent referred to Resolution No. 2015 – 047

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

**A**  
**RESOLUTION RATIFYING SETTLEMENT AGREEMENT AND RELEASE  
BETWEEN TOWN OF WEST NEW YORK HOUSING AUTHORITY,  
COMMUNICATION WORKS OF AMERICA, AFL-CIO LOCAL NO. 1045 AND  
RICARDO SAEZ**

**WHEREAS,** the Town of West New York Housing Authority (the “Authority”) instituted disciplinary action against Ricardo Saez (“Saez”); and

**WHEREAS,** the Communication Workers of America, AFL-CIO Local No. 1045 (the “Union”), on behalf of Saez, filed a grievance and thereafter an arbitration request with the Public Employment Relations Commission, specifically Docket No. AR-2015-736; and

**WHEREAS,** the Authority, the Union and Saez desired to resolve all outstanding issues with respect to the aforementioned disciplinary action and arbitration; and

**WHEREAS,** at the arbitration hearing on November 20, 2015, the parties entered into a settlement agreement and release to fully resolve and settle the disciplinary action; and

**WHEREAS,** the Authority seeks to ratify the settlement agreement and release, which is attached hereto.

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Authority do hereby ratify the settlement agreement and release between the Authority, the Union and Saez.

**BE IT FURTHER RESOLVED** that the Administration shall take all necessary steps to carry out the terms of the settlement agreement and release.

**Adopted: 11/24/15**

At this time Chairman Rodriguez and Vice-Chairperson Roque made notice that they are extending courtesy to Ricardo Saez to keep his job with the promise of doing a good job and that he will stay out of trouble

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

**YEAYS:** Commissioners Fernandez, Fuentes, Oms, Chairman-Rodriguez and Vice-Chairperson Roque

**NAYS:** None

Mr. DiVincent declared Resolution No. 2015 – 047 so moved.

At this time Secretary DiVincent referred to items #8, A, B, C and accepted as follows:

- 8A) Report from Executive Director - Robert A. DiVincent
- 8B) Report from Destiny Portillo - Tenants by Occupancy Date

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

YEAS: Commissioners Fernandez, Fuentes, Oms, Chairman-Rodriguez and Vice-Chairperson Roque

NAYS: None

At this time Mr. DiVincent assured the board that Ricardo Saez will be supervised at all times.

At this time Mr. DiVincent reminded all commissioners to the Authority's Christmas Party.

The board was once again informed that we are moving forward with the RAD program.

Mr. DiVincent asked if there were any questions, there were none. Since there were none, he asked for a motion to adjourn. Said motion was made by Vice-Chair Roque and seconded by Comm. Fernandez. The roll was called as follows:

YEAS: Commissioners Fernandez, Fuentes, Oms, Vice-Chairperson Roque and Chairman Rodriguez

NAYS: None

Meeting adjourned at 8:08 p.m.

Respectfully submitted,

Robert A. DiVincent  
Secretary