

MINUTES SCHEDULED CAUCUS MEETING – SEPTEMBER 26, 2016

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 September 26, 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 21, 2015 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 Oms.

Mr. DiVincent referred to item #3 – Minutes of previous scheduled regular meeting dated September 26, 2016 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. 2016–037- Awarding Special Legal Services – Tax Credit. Two proposals were received and the board was recommended contract be awarded to DeCotiis, FitzPatrick and Cole, LLP., as he is very familiar with the Authority, also being the lowest responsive bidder.

Resolution No. 2016-038- Award Fiscal Audit Contract- The board was informed that only two proposals were received. After review Mr. DiVincent recommended the contract to be awarded to Hymanson, Parnes & Giampaolo, being the lowest responsive bidder.

Resolution No. 2016-039- Award Contract for Spackling, Plastering and Painting of apartments to lowest responsible bidder, Shamrock Maintenance Co Inc., in the amounts listed in their bid for a period of one (2) year. Four bids were received Shamrock Maintenance Co Inc., being the lowest responsive bidder.

Resolution No. 2016-040- Award Contract for Inspection, Servicing, and Maintenance of Fire Water Pumps, Standpipes, Fire Hydrants, Fire Extinguishers, Wet Systems, and Ansul Systems within eight (8) housing developments to Cerullo Fire Protection. Life Safety System’s submittal was incomplete.

Resolution No. 2016-041- Amending the West New York Housing Authority’s Personnel Policies and Procedures Manual and its Employee Handbook.

Resolution No. 2016-042- The Board was informed that Resolutions No. 2016 – 042 and 2016-045 are required to adopt New Jersey State Budgets FYE 2015 and 2016.

Resolution No. 2016-043- Awarding General Legal Services. Two proposals were received and the board was recommended contract be awarded Scarinci & Hollenbeck, LLC as he is very familiar with the Authority.

Resolution No. 2016-044- 007 Mr. DiVincent informed the board of Sixto Caballero resignation from the Housing Authority and that Sixto Caballero is entitled to a \$4,197.24 separation benefit for unused vacation and personal days.

Resolution No. 2016-045- Refer to Resolution No. 2016-043.

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

Meeting adjourned at 7:52 p.m.

Respectfully Submitted,

Robert A. DiVincent
Secretary

MINUTES SCHEDULED REGULAR MEETING SEPTEMBER 26, 2016

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 September 26, 2016.

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 21, 2015 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, Commissioner Fernandez and Commissioner Fuentes.

ABSENT: Commissioner Oms.

At this time Mr. DiVincent referred to item # 3 A - Minutes of Previous Regular Scheduled Meeting dated September 26, 2016. 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:

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

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 Fuentes. The roll was called as follows:

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

NAYS: None

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

At this time Resolution No. 2016-037 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 Proposal for Special Legal Counsel –Tax Credit, in compliance with HUD procurement regulations; and

WHEREAS, on September 22, 2016, the Authority received two proposals from:

<u>Name of Bidder</u> <u>Paralegals</u>	<u>Partners</u>	<u>Associates</u>	<u>Clerks</u>
DeCotiis, FitzPatrick & Cole, \$95.00 per hr Teaneck, NJ	\$195.00 per hr.	\$165.00per hr.	\$125.00per hr.
Ballard Spahr LLP, \$195.00 per hr Cherry Hill, NJ	\$395.00 per hr.	\$350.00per hr.	\$0.00

WHEREAS, pursuant to the Request for Proposals and HUD procurement regulations, the proposal, was reviewed and scored by the Authority’s Review and Evaluation Committee, consisting of Consultant Keefe and Executive Director Robert DiVincent, has been evaluated as both qualified and complaint.

NOW, THEREFORE BE IT RESOLVED that the Authority hereby award the Special Legal Counsel-Tax Credit Contract to **DeCotiis, FitzPatrick & Cole**, as the lowest bidder;

At this time Resolution No. 2016-038 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 Fiscal Audit Services, in compliance with HUD procurement regulations; and

WHEREAS, on September 5, 2016, the Authority received two proposals from:

<u>Name of Bidder</u>	<u>Hourly Rate</u>	<u>Total Fee</u>
Hymanson, Parnes & Giampaolo, Lincroft, NJ	\$175.00	\$15,225.00
Rubino & Company, Bethesda, MD	\$250.00	\$20,875.00

Whereas, this proposal is well within the budget allowance, and

Whereas, Hymanson, Parnes & Giampaolo has brevisly completed the Authority Audit.

WHEREAS, pursuant to the Request for Proposals and HUD procurement regulations, the proposal, was reviewed and scored by the Authority’s Review and Evaluation Committee, consisting of Consultant Keefe and Executive Director Robert DiVincent; with the Hymanson, Parnes & Giampaolo, has been evaluated as both qualified and complaint.

NOW, THEREFORE BE IT RESOLVED that the Authority hereby award the Fiscal Audit Contract to Hymanson, Parnes & Giampaolo as the lowest bidder;

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby awards a contract for Fiscal Audit Services to Hymanson, Parnes & Giampaolo for an amount not to exceed 15,225.00 (Contract Fee), in accordance with HUD regulations.

At this time Resolution No. 2016-039 was read as follows:

WHEREAS, the Housing Authority of the Town of West New York, solicited price quotes for procurement of goods/services: labor material, tools and equipment for plastering, spackling and painting on demand; and

WHEREAS, the Housing Authority of the Town of West New York has received many and varying price quotes for the same as set forth in the tabulations and set forth below; and

WHEREAS, based on said calculations, it has been determined that *Shamrock Maintenance Co., Inc.* is the lowest responsible bidder; and

WHEREAS, it has been further determined that it would be advantageous to the Authority and in the Authority's best interest to accept the *Shamrock Maintenance Co., Inc.* bid cited and award a contract to said lowest responsive bidder for said bid items at the prices set forth below;

NOW, THEREFORE BE IT FURTHER RESOLVED, that said low bid by *Shamrock Maintenance Co., Inc.* be and hereby is accepted.

BE IT FURTHER RESOLVED, that a contract be and hereby is awarded to the low bidder, *Shamrock Maintenance Co., Inc.* for the bid items and at the bid prices set forth in their bid in the following tabulation and calculation of all bids received.

CALCULATION OF 8/25/16 BIDS FOR PAINTING, SHEET ROCKING & PLASTERING OF APARTMENTS

Name of Bidder: J & G Painting, Kendall Park, NJ

PAINT BID

Line	Item	0 BR	1BR	2 BR	3 BR	4BR
1	One Coat	\$315	\$365	\$470	\$670	\$795
2	Two Coat	\$370	\$420	\$560	\$770	\$875
3	Line 1 + Line 2	\$685	\$785	\$1,030	\$1,440	\$1,875
4	Times % of Total Units 100%	41.32%	30.10%	18.90%	8.88%	.80%
5	Equals Bid Amt. 856.82	\$283.04	\$236.29	\$194.67	\$127.82	\$15.00=
	Total					Paint

SHEET ROCKING & PLASTERING BID

Line	Item	Item #1	Item #2	Item #3	Item #4
1	Under 100 Sq. Ft.	\$8.00	\$7.00	\$5.00	\$6.00
2	100 to 500 Sq. Ft.	\$8.00	\$7.00	\$5.00	\$6.00
3	Over 500 Sq. Ft.	\$8.00	\$7.00	\$5.00	\$6.00
4	Total Lines 1,2 & 3	\$24.00	\$21.00	\$15.00	\$18.00= \$77.00

Total Sheet
Rocking &
Plastering Bid

Total Paint Bid \$856.82 x 3 = \$2,570.46 +
Total Sheet Rocking & Plastering \$77.00 =
Total combined paint and sheet rocking & plastering bid = \$2,647.46

Name of Bidder: Aris Painting, Edison NJ
PAINT BID

Line	Item	0 BR	1BR	2 BR	3 BR	4BR
1	One Coat	\$344	\$425	\$540	\$875	\$1,100.00
2	Two Coat	\$395	\$495	\$640	\$980	\$1,340.00
3	Line 1 + Line 2	\$739	\$920	\$1,180	\$1,855	\$2,440.00
4	Times % of Total Units	41.32%	30.10%	18.90%	8.88%	.80% 100%
5	Equals Bid Amt.	\$305.35	\$276.92	\$223.02	\$647	\$19.52 = \$989.53 Paint Total

***2 coats prices not shown as a unit price. Shows as an up-charge.**

SHEET ROCKING & PLASTERING BID

Line	Item	Item #1	Item #2	Item #3	Item #4
1	Under 100 Sq. Ft.	\$1.40 \$	\$1.25	\$14.00	No Bid
2	100 to 500 Sq. Ft.	\$1.40. \$	\$1.25	\$14.00	No Bid
3	Over 500 Sq. Ft.	\$1.40 \$	\$1.25	\$14.00	No Bid
4	Total Lines 1,2 & 3	\$4.20 \$	\$3.75	\$42.00	

Total Sheet
Rocking &
Plastering Bid

Total Paint Bid \$989.53 x 3 = \$2968.59 +
Total Sheet Rocking & Plastering \$49.95
Total combined paint and sheet rocking & plastering bid = \$3,018.54

Name of Bidder: Shamrock Maintenance Co Inc, Bayonne, NJ
PAINT BID

Line	Item	0 BR	1BR	2 BR	3 BR	4BR
1	One Coat	\$295	\$355	\$455	\$615	\$715
2	Two Coat	\$350	\$300	\$540	\$715	\$860
3	Line 1 + Line 2	\$645	\$745	\$995	\$1330	\$1575
4	Times % of Total Units 100%	41.32%	30.10%	18.90%	8.88%	.80%
5	Equals Bid Amt. 809.51	\$266.51	\$224.25	\$188.05	\$118.10	\$126.00=
						Paint
Total						

***2 coats prices not shown as a unit price. Shows as an up-charge.**

SHEET ROCKING & PLASTERING BID

Line	Item	Item #1	Item #2	Item #3	Item #4
1	Under 100 Sq. Ft.	\$0.67	\$0.67	\$0.67	\$0.89
2	100 to 500 Sq. Ft.	\$0.67	\$0.67	\$0.67	\$0.89
3	Over 500 Sq. Ft.	\$0.67	\$0.67	\$0.67	\$0.90
4	Total Lines 1,2 & 3	\$0.67	\$ 0.67	\$0.67	\$2.68 = \$4.69
					Total Sheet Rocking & Plastering Bid

Total Paint Bid \$809.51 x 3 = \$2,428.53 +
 Total Sheet Rocking & Plastering \$4.69
 Total combined paint and sheet rocking & plastering bid = \$2,433.22

Name of Bidder: SMAC CORP. , SADDLE BROOK, NJ
PAINT BID

Line	Item	0 BR	1BR	2 BR	3 BR	4BR
1	One Coat	\$420	\$511	\$651	\$875	\$950
2	Two Coat	\$505	\$560	\$763	\$1015	\$1150
3	Line 1 + Line 2	\$925	\$1071	\$1414	\$1890	\$2100

4	Times % of Total Units	41.32%	30.10%	18.90%	8.88%	.80%	100%
5	Equals Bid Amt.	\$382.21	\$322.37	\$267.25	\$167.83	\$16.80 =	1,156.46 Paint Total

***2 coats prices not shown as a unit price. Shows as an up-charge.**

SHEET ROCKING & PLASTERING BID

Line	Item	Item #1	Item #2	Item #3	Item #4
1	Under 100 Sq. Ft.	\$12.00	\$10.00	\$7.00	\$5.50
2	100 to 500 Sq. Ft.	\$11.00	\$9.00	\$6.00	\$4.50
3	Over 500 Sq. Ft.	\$10.00	\$8.00	\$5.00	\$3.50
4	Total Lines 1,2 & 3	\$33.00	\$27.00	\$18.00	\$13.50= \$91.50
					Total Sheet Rocking & Plastering Bid

Total

Paint Bid \$1196.46 x 3 = \$3,469 +
 Total Sheet Rocking & Plastering \$91.50 =
 Total combined paint and sheet rocking & plastering bid = \$3,560.88

At this time Resolution No. 2016-040 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 on September 23, 2016 for inspection, servicing, and maintenance of fire water pumps, standpipes, wet systems, and Ansul systems at all facilities (NJ30-301/302/303/304/305/306/307/308); and

WHEREAS, the following bids were received:

1. CERULLO FIRE PROTECTION, N.J.	1 st Year	\$ 23,500
Optional Extension	2 nd Year	\$ 23,500
Emergency Services		\$ 115/hr.
2. LIFE SAFETY	1 st Year	\$21,210
Optional Extension	2 nd Year	\$21,210
Emergency Services		\$150/hr.

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 is hereby authorized **Cerullo Fire Protection** to enter into Contract for inspection, servicing, and maintenance of fire water pumps, standpipes, fire hydrants, fire extinguishers, wet systems, and Ansul systems at all facilities (NJ30-301/302/303/304/305/306/307/308) as the sole bidder, **Cerullo Fire Protection**.

At this time Resolution No. 2016-041 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

Resolution amending the West New York Housing Authority’s Personnel Policies and Procedures Manual and its Employee Handbook.

BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the Town of West New York, that the Authority’s Personnel Policies and Procedures Manual and its Employee Handbook be, and hereby are amended, effective this date to reflect the following changes:

Change No.1 - Amendment of the Anti-Discrimination Policy and Americans with Disabilities Act Policy (Part I Section Two of the Manual and Handbook) to comply with the New Jersey Pregnant Worker’s Fairness Act, which amended the Law Against Discrimination to prevent discrimination based upon pregnancy, childbirth or pregnancy related medical condition; and revision of the content pages of such documents to reflect inclusion of the wording “New Jersey Pregnant Worker’s Fairness Act” immediately following the title wording “Americans With Disabilities Act Policy.” The wording of the amended policies shall be as follows:

“Anti-Discrimination Policy

The Authority is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity and Anti-Discrimination Act of 1972 and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker’s Fairness Act (LAD). Under no circumstances will the Authority discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, perceived or known disability(including AIDS or HIV infection), pregnancy (including pregnancy related medical condition), childbirth, liability for service in the United States Armed Forces, gender identity or expression, and/or any other characteristic protected by law. Decisions regarding hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, in this regard, they have the right to address their concern with the Executive Director or the Affirmative Action Officer.

In order to make this policy generally known in the community, the Authority shall insert in all solicitations, announcements or advertisements for employment a statement that all qualified applicants will receive consideration for employment without regard to the above cited characteristics, or any other characteristics protected by law.

Americans With Disabilities Act Policy/New Jersey Pregnant Worker’s Fairness Act

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker’s Fairness act (LAD), the Authority does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The

Authority will endeavor to make every work environment handicap accessible and all future renovation and construction of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Authority to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and LAD. We will not discriminate against any qualified employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Authority.

The Authority’s Executive Director shall engage in an interactive dialogue with disabled employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. All decisions with regard to reasonable accommodation shall be made by the Executive Director. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Housing Authority to offer permanent “light duty”, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting the Housing Authority’s facilities. Any questions concerning proper assistance should be directed to the Executive Director.”

Change No. 2 – Amendment of Whistle Blower Policy (Part I Section Two of Manual and Handbook) to reflect updated wording set forth in the current Conscientious Employee Protection Act Notice. The wording of such policy is amended to read as follows:

“ Whistle Blower Policy

- Employees have the right under the “Conscientious Employee Protection Act (CEPA)” to complain about any activity, policy or practice that the employee reasonably believes is in violation of a law, rule, or regulation promulgated pursuant to law. This right shall be communicated to all employees in an annual letter outlining the specific employee’s complaint procedure, and in a posted notice. A written acknowledgment that the employee received this letter will be included in the employee’s official personal file. The annual notice shall be in English and Spanish and must contain the name of the person who is designated to receive written notification of policies or practices that might violate CEPA. This right will also be communicated in the Employee Handbook. All Complaints will be taken seriously and promptly investigated.

The Authority shall not take any retaliatory action or tolerate any reprisal against an employee because the employee does any of the following:

- Discloses or threatening to disclose to a supervisor or a public body an activity, policy or practice of the employer, or another employer with whom there is a business relationship, that the employee reasonably believes is in violation of a law, rule or regulation issued under the law; -2-
- Providing information to, or testifying before any public body conducting an investigation, hearing, or inquiry into any violation of law, or a rule or regulation issued under the law by the employer, or another employer with whom there is a business relationship;
- Provides information involving deception of , or misrepresentation to, any client, customer, employee, former employee, retiree or pensioner of the employer or any government entity;
- Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any client, customer, employee, former employee, retiree, or pensioner of the employer or any government entity;
- Objects to, or refuses to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation issued under the law; or is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare or protection of the environment.

In accordance with the statute, the employee must bring the violation to the attention of the Authority. However, disclosure is not required where: (1) the employee is reasonably certain that the violation is known to one or more officials;(2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. Employees are encouraged to complain in writing using the Housing Authority’s prescribed Employee Complaint form, but may make a verbal complaint at their discretion. See Employee Complaint Policy included in this Personnel Policy. Under the law, the employee must give the Authority a reasonable opportunity to correct the activity, policy or practice. In accordance with the statute, a copy of this policy will be posted in all facilities.

See the section of this Personnel Policy entitled “Standards of Conduct”, for additional information pertaining to the subject matter covered under this section.”

Change No. 3 Amendment to the Communication Media Policy (Part I Section Three of the Manual and Handbook) to reflect changes in technology and practices of government. The wording of such policy is amended to read as follows:

“Communication Media Policy

The Authority’s Communication Media are the property of the Authority and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, “Communication Media” includes all electronic media forms provided by the Authority, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

All data stored on and/or transmitted through Communication Media is the property of the Authority. For purposes of this policy, “data” includes “electronically-stored files, programs, tables, data bases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve an Authority business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the Authority’s mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Authority’s local or wide-area networks.”

The Authority respects the individual privacy of its employees. However, employee communications transmitted by the Authority's Communication Media are not private to the individual. **All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the Authority. The Authority reserves the absolute right to access, review, audit, and disclose all matters entered into, sent over, placed in storage in the Authority's Communication Media.** By using the Authority's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by Authority personnel. The existence of passwords does not restrict or eliminate the Authority's ability or right to access electronic communications. However, the Authority cannot require the employee to provide its password to his/her personal account.

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (N.J.S.A. 47:1A-1). Employees of the Authority are required to use the assigned email account for ALL Authority business and correspondence. The use of private email accounts for ANY Authority business or during business hours is strictly prohibited.

Employees can only use the Authority's Communication Media for legitimate business purposes. Employees may not use the Authority's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Authority rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by the Authority. Certain data, or applications that process data, may require additional security measures as determined by the Authority. Employees must not share their passwords, and each employee is responsible for all activity that occurs in connection with their passwords.

All employees may access only data for which the Authority has given permission. All employees must take appropriate actions to ensure that Authority data is protected from unauthorized access, use, or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized.

Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Authority's computing environment.

Employees may not install or modify ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Authority. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Authority or licensed to the Authority. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.

Social media and its use in government and daily life are expanding each year however, information posted on a website is available to the public, and therefore, employees must adhere to the following guidelines for their participation in social media. Only those

Employees authorized by the Executive Director may engage in social media activity during work time through the use of the Authority's Communication Media, provided that it is directly related to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential Authority information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there

is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

No Authority employee shall post internal working documents to social media sites. This includes, but is not limited to , screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the Executive Director. In addition, employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the Authority's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Executive Director. Except in "emergency situations", employees are prohibited from taking digital images or photographs with media equipment not owned by the Authority. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the Authority's Communication Media. If such situation occurs, employee agrees that any images belong to the Authority and agree to release the image to the Authority and ensure its permanent deletion from media device upon direction from the Authority.

No media advertisement, electronic bulletin board posting, or any other posting accessible via the Internet about the Authority or on behalf of the Authority, whether through the use of the Authority's Communication Media or otherwise, may be issued unless it has first been approved by the Executive Director. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the Authority. Such unauthorized communications may result in disciplinary action.

Because (authorized) postings placed on the Internet through use of the Authority's Communication Media will display on the Authority's return address, any information posted on the Internet must reflect and adhere to all of the Authority's standards and policies.

All users are personally accountable for messages that they originate or forward using the Authority's Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any Communication Media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else) is prohibited. Employees must respect the laws regarding copyrights, trademarks, rights of public Authority and other third-party rights. Any use of the Authority's name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the Authority, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

To the extent that employees use social media outside of their employment and, in so doing, employees identify themselves as Authority employees, or if they discuss matters related to the Authority on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the Authority, and the employee is expressing only their personal views. For example: “The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer.” Place the disclaimer in a prominent position and repeat it for each posting that is expressing an opinion related to the Authority or the Authority’s business. Employees must keep in mind that, if they post information on a social media site that is in violation of Authority policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.

Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment. Authority employees have the right to engage in or refrain from such activities.”

Change No.4 Addition of a new policy entitled “Employee Dating Policy” under Part I Section Three of the Manual and the Handbook; and revision of the content pages of such documents to reflect the addition of such new policy. The wording of the employee dating policy shall be as follows:

“Employee Dating Policy

The Authority recognizes the right of employees to engage in social relationships with each other, including relationship of a romantic or intimate nature. However, the Authority recognizes that such relationships can be a problem in the workplace. They may result in favoritism, discrimination, unfair treatment, friction among coworkers, or the perception that they generate such problems.

To try to achieve a balance between employee rights and workplace needs, the Authority has adopted the following policy on the subject of supervisor/subordinate dating. If such relationship exists or develops, both parties involved shall report the fact to their immediate supervisor or the Executive Director.

For the purpose of this policy, a supervisor/subordinate status means a situation where one employee, irrespective of job title, makes or has the authority to make decisions or take actions concerning another employee’s compensation, promotion, demotion, discipline, daily tasks, or and other terms, conditions or privileges of employment with the Authority.

If the employees involved in the relationship are also in a supervisor/subordinate status, management may take any action which it deems appropriate, up to and including transferring one of the parties so that there is no longer a supervisor/subordinate relationship between them. In addition, management reserves the right to address any workplace issues that may result from that relationship in the manner it deems appropriate.

Any employee who violates this policy will be subject to disciplinary action, up to and including discharge. The Authority regards a violation of this policy as particularly serious because such workplace relationships can cause favoritism, discrimination, unfair treatment for other employees, or interference with Authority operations.

Nothing in this policy alters an employee’s at will status.”

Change No. 5 Amendment to Employment Procedures (Part II Section 7 of Manual and Handbook) to reflect modification of language, addition of new procedures; inclusion of a new section entitled “Background Checks and Procedures foe Candidates, Employees and Volunteers ”; and revision of the content pages of the Manual and the Handbook to reflect inclusion of such new title. The wording of the subject amendments shall be as follows:

“Employment Procedures

- **Recruitment** – The Executive Director will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. When a vacancy occurs, it is the responsibility of the Executive Director to distribute notification of the vacancy to all employees. The Executive Director will undertake to recruit qualified applicants in accordance with the applicable Federal, State and Local laws. Where positions are advertised in the media or other periodicals, the media/periodicals utilized must have a wide a circulation as possible to encourage applications from candidates with diverse backgrounds and must prominently state that the Housing Authority is an Equal Opportunity Employer.
- **Applications** - All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.
- **Interviews** - The Executive Director will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidates responses. All questions must be in accordance with the New Jersey Division of Civil Rights **Guidelines for Pre-employment Inquiries**. The Housing Authority will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided the accommodation does not impose an unreasonable hardship on the Housing Authority.
- **Physical Examinations** –Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Executive Director may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The Executive Director may require periodic physical examinations to determine the employee’s continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Authority at the expense of the Authority. All medical records of employees and prospective employees are confidential and are to be maintained by the Housing Authority separate from the employee’s official personnel file. Medical exams may include tests for drug and alcohol use.

At his/her discretion, the Executive Director may require psychological and/or psychiatric examinations by a psychologist or psychiatrist designated by the Executive Director.

- **Criminal Background Checks** – Criminal background checks are required of all candidates, whether paid or volunteer, that may work directly or indirectly with children/youth/minors, in accord with the procedures set forth below.

- **Job Offers** –The final decision will be made by the Executive Director after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to know physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodations does not impose an unreasonable hardship on the Housing Authority. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.
- **Acceptances and Rejections** –If the first offer is rejected, the Board of Commissioners will decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.
- **Employability Proof** – After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form and to provide acceptable proof of right to employment in the United States.
- **Record Retention** – All applications, notes made during interviews and reference checks, job offers and other documents created during the hiring process must be returned to the Executive Director. Documents related to the successful candidate will be placed in the employee’s official personnel file, except that medical records, including physical examinations, must be maintained in a separate file. All records and other documents related to other candidates must be retained for at least one year. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

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Background Checks and Procedures for Candidates, Employees and Volunteers

- **Background checks required:** Background checks are required of all candidates, whether for paid or volunteer positions, working directly or indirectly with children/youth/minors. Background checks will also be administered for each employee or volunteer that works directly or indirectly with children./youth/ minors every three years. The exact titles of employees subject to background checks shall be determined by the Authority, but shall include all administrative, security and maintenance positions.
- **Background check procedure:** The Executive Director, or his/her designee, will perform or initiate background checks and be the recipient of reports from outside agencies or contractors. The Executive Director will discuss disqualifying information with the employee’s or volunteer’s department head. Written information received as a result of a “Request for Criminal History Record Information For a Non-Criminal Justice Purpose” will be destroyed immediately after it has served its authorized purpose, as required by the State Police. Such information will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5 et seq.).

The Executive Director will inform the candidate, volunteer, or employee in writing, of any information that would disqualify the person from working with children/youth/minors. If the Housing Authority contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the person in writing of any information that may disqualify the person from working with children/youth/minors. Existing employee or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal.

Employee suspensions may be with or without pay at the discretion of the Executive Director.

- **Conditions Under Which An Employee Will Be Disqualified From Working With Children/youth/minors:** A candidate, volunteer, or employee may be disqualified from employment in a position that involves working with children/youth/minors if that person's criminal history background check reveals a record of **conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other States:**
 - Homicide (N.J.S.A. 2C:11)
 - Assault, reckless endangerment, threats, stalking (N.J.S.A. 2C:12)
 - Kidnapping (N.J.S.A. 2C:13)
 - Sexual Offenses (N.J.S.A. 2C:14) -8-
 - Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)
 - Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)
 - Robbery (N.J.S.A. 2C:15)
 - Theft (N.J.S.A. 2C:20)

A disqualification from any position will be based on a conviction for one or more of the above disqualifying crimes and offenses. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying offense, is not a disqualifying conviction.

- **Appeal Process:** The Appeals Committee will be comprised of a Housing Authority Commissioner, the Authority's Executive Director, and a law enforcement officer.

Once a candidate, employee or volunteer has been notified of a disqualifying conviction, the candidate, employee, volunteer has 14 calendar days to file a Notice of Appeal with the Housing Authority. Such Notice of Appeal must be in writing to the Executive Director. The Notice of Appeal shall include a Notice of Rehabilitation and/or a Notice that the information is inaccurate or incorrect, pursuant to NJAC 13:59-1.6.

During the above stated 14-day period, and until issuance of the decision of the Appeals Committee, an employee will be on a suspension with pay, pending the outcome of the Notice of Appeal.

In making a determination on the appeal, the following information will be considered:

1. The nature and responsibility of the position which the convicted individual would hold, has held, or currently holds, as the case may be.
2. The nature and seriousness of the crime or offense.
3. The circumstances under which the crime or offense occurred.
4. The date of the crime or offense.
5. The age of the individual when the crime or offense was committed.
6. Whether the crime or offense was an isolated or a repeated incident.
7. Any social conditions which may have contributed to the commission of the crime or offense.
8. Any evidence of rehabilitation, including a good conduct in prison, or in the community, counseling or psychiatric treatment received.
9. Acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision."

The Housing Authority will issue a written determination of the employee's appeal of their disqualifying conviction, setting forth the reasons for the determination.

Change No. 6 Amendment reflecting modifications to open public meeting act procedures (Part II Section Seven of Manual and Handbook). The wording of such amended procedures shall be as follows:

“Open Public Meeting Act Procedure Concerning Personnel Matters

Discussion by the Commission or any body of the Authority concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee shall be in closed session, with the right of the employee to be present, unless the employee(s) request in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the governing body or any body of the Authority concerning such matters, the Executive Director shall notify the affected person(s) of the meeting date, time, and place, the matter(s) to be discussed and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session.

In many instances, it is advisable to allow the employee to be present in Executive Session, but it may not be necessary.

Change No. 7 The Housing Authority form of Application for Employment (Part II Section Eight of the Manual and Handbook) has been amended to bring same into compliance with New Jersey's Pregnant Worker's Fairness Act and the State's Ban the Box Legislation, which prohibits employers from asking about a candidates criminal history on an application for employment. The content of the amended application shall be as follows:



HOUSING AUTHORITY OF THE TOWN OF WEST NEW YORK

Date: _____

**Application for Employment
Employment Application:**

Applicant Information Name (Last, First, Middle): _____ Address: _____ City/Town: _____ Phone (work): () _____ (Home): () _____ Social Security Number: - -
--

Position applied for: _____

Have you ever applied to the Authority before: ____ Yes ____ No-if yes, give date _____

Date you can start: _____ Salary desired: _____

Are you available to work: ____ Full time ____ Part time ____ Shift work ____ Temporary

Are you currently employed: ____ Yes ____ No -May we contact you at work? _____

May we contact your current employer: ____ Yes ____ No

Are you currently on layoff status and subject to recall: ____ Yes ____ No

Do you possess a current driver's license: Yes No

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Do you possess a current commercial driver's license: Yes No

Please list any endorsements: _____

If you are under eighteen years of age, can you provide proof of eligibility to work: Yes No

Are you legally eligible to work in the United States of America: Yes No
Pursuant to Federal Law, proof of US Citizenship or immigration status will be required if you are hired.

Employment History: This section must be completed even if you attach a resume. List your last three employers, major assignments with the same employers. Begin with the most recent. Include any military service. Explain any gaps in employment in the space on this form marked comments located on the bottom of the page.

Employer:	Date Started: Date Left:	Work performed/responsibilities:
Address:		
Job Title:	Starting Salary: Ending Salary:	
Reason for leaving:		
Supervisor's Name and Phone Number:		
May we contact for a reference: Yes <input type="checkbox"/> No <input type="checkbox"/>		
Employer:	Date Started: Date Left:	Work performed/responsibilities:
Address:		
Job Title:	Starting Salary: Ending Salary:	
Reason for leaving:		
Supervisor's name and phone number:		
May we contact for a reference: Yes <input type="checkbox"/> No <input type="checkbox"/>		
Employer:	Date Started: Date Left:	Work performed/responsibilities:
Address:		
Job Title:	Starting Salary: Ending Salary:	
Reason for leaving:		
Supervisor's name and phone number:		
May we contact for a reference: Yes <input type="checkbox"/> No <input type="checkbox"/>		

COMMENTS:

Education: Provide information on your formal schooling and education. Include elementary, secondary, and post-secondary education, if any. Include any formal vocational or professional education. For high school and post-secondary education, indicate any major or specialty, such as Academic, Business, or Trade.

School:	Years completed: (Circle)	Graduated: (Circle)	Major Field:
Elementary:	5678	Yes No	
High:	1234	Yes No	
College:	1234	Yes No	
Other:	1234	Yes No	

Languages:List any foreign languages you know and indicate your level of proficiency.

Language:	Speak Some:	Speak Fluently:	Read:	Write:

Special Skills & Experience: State any special skills, experience, training, licenses, certification or other factors that make you especially qualified for the position for which you are applying.

Comments & Additional Information: Is there any additional information about you we should consider?

References: Provide the names, addresses, and phone numbers of three people whom we may contact as a reference. They should not be relatives or former supervisors.

Name & Address:	Phone Number:	Years Known:

Understandings and Agreements:

As an applicant for a position with the Authority, I understand and agree that I must provide truthful and accurate information in this application. I understand that my application may be rejected if any information is not complete, true and accurate. If hired, I understand that I may be separated from employment if the Authority later discovers that information on this form was incomplete, untrue, or inaccurate. I give the Authority the right to investigate the information I have provided, talk with former employers (except where I have indicated they not be contacted). I give the Authority the right to secure additional job-related information about me. I understand that the Authority is an equal opportunity employer and does not discriminate in its hiring practices. I understand that the Authority will make reasonable accommodations as required by the Americans with Disabilities Act, the New Jersey Pregnant Worker’s Fairness Act, and the New Jersey Law Against Discrimination. I understand that if employed, I may resign at any time and that the Authority may terminate me at any time in accordance with its established policies and procedures. No representatives of the Authority may make any assurances to the contrary. I understand that any offer of employment may be subject to job-related medical, physical, drug, or psychological tests. I also understand that some positions may involve complete background and criminal checks.

Conditions of Employment:

Please be advised that all offers of employment are conditional on the applicant passing a mandatory criminal background check and drug test. A pre-employment physical may also be required. Pursuant to our personnel policy, all job applicants are required to sign a consent form for drug testing, and if the test results are positive and are not accounted for by the legal use of prescription or non-prescription drugs, the applicant shall be ineligible for hire unless they can establish a legal basis for the use of the drug or controlled substance for which they test positive.

For your application to be considered, you must sign and date below.

Applicants Signature _____ Date: _____

Voluntary Affirmative Action Information

You are not required to provide this information. Provide only if you wish.

If you provide information on this page, it will be filed separately from the job application. This information will be used only for purposes of the affirmative action program.

Applicant Information:

Name: _____
Address: _____
City/Town: _____
Phone:() _____

Position Applied For: _____

How did you learn about this position? Advertisements Employment Agency
 Friend Relative Walk-In Other _____

Information Regarding Status:

Gender:

Male Female

Equal Employment Opportunity Identification Groups:

- White African-American (non-Hispanic) Hispanic
 American Indian/Alaskan native Asian/Pacific Islander other _____

Other Protected Groups:

- Individual with a disability Vietnam-era veteran(served between 1964 & 1975)

For Authority Use Only	
Hired: _____	Yes _____ No _____
Position _____	Date _____
Which EEO job classification best describes the position for which the applicant applied?	
1. Officials and Managers	4. Office and clerical workers
2. Professionals	5. Craft workers (skilled)
3. Technicians	6. Operators (semi-skilled)
	7. Laborers (skilled)
	8. Service workers
Authority Official _____	Date _____

Category	It is discriminatory to inquire about	Some examples of acceptable inquiries
Name	a) The fact of a change of name or the original name of an applicant whose name has been legally changed b) Maiden name	Whether or not the applicant has ever worked under another name or was the applicant educated under another name(Allowable only when the data is needed to verify the applicant's qualifications).
Birthplace and Residence	a) Birthplace of applicant b) Birthplace of applicant's parents c) Requirement that applicant submit birth certificate, naturalization, or baptismal record. d) Own home, rent, board or live with parents. e) Citizenship	a) Are you in the United States on a visa, which prohibits you from working here? b) Are you either a U.S. citizen or a permanent resident alien?
Creed and Religion	a) Applicant's religious affiliations b) Church, parish, or religious holidays observed by applicant	
Race or Color	a) Applicant's race b) Color of applicant's skin, eyes, hair, etc. c) Driver's license number	
Photographs	a) Photographs with application b) Photographs after interview, but before a hiring	
Age	a) Date of birth or age of applicant b) Age specifications, limitations, or implications in a newspaper advertisement, which might bar workers under or over a certain age c) Driver's license number	Applicant may be asked if he/she is over the minimum legal age and under a bona fide mandatory retirement age.
Language	a) Applicant's mother tongue b) Language commonly used by applicant at home c) How the applicant acquired ability to read, write, or speak a foreign language	Language applicant speaks and/or writes fluently (only if job related).
Relatives	Name and/or address of any relative of the applicant	Name and address of person to be notified in case of accident or emergency.
Military Experience	a) Applicant's military experience in other than United States Armed Forces b) National Guard or Reserve Units of applicant c) Draft classification or other eligibility for military service d) Applicant's whereabouts during periods of armed conflict e) Dates, conditions, and type of Discharge	a) Military experience of applicant in Armed Forces of United States only when used for employment history. b) Whether applicant has received any notice to report for duty in Armed Forces
Category	It is discriminatory to inquire about:	Some examples of acceptable inquiries
Organization	Any clubs, social fraternities, sororities, societies, lodges, or organizations to which the applicant belongs.	Membership in a union, professional, or trade organization.
References	The name of applicant's pastor or religious leader	Names of persons willing to provide professional and/or character references for applicant
Sex and Marital Status	a) Sex or marital status or any questions, which would be used to determine same b) Number of dependents, number of children c) Spouse's occupation	
Arrest and Conviction	The number and kind of arrests of an applicant	Convictions that bear a relationship to the job

Record		
Height and Weight	Any inquiry into height or weight of an applicant	
Physical Disabilities	Any inquiries as to physical disability, which has no direct bearing on satisfactory performance of the specific job in question(For example, questions as to the mobility of a person without the use of his or her legs, when the job in question involves working a stationary position).	Does applicant have any physical disability, which would prevent him or her from satisfactorily performing the job?(For example, questions concerning hearing impairment are acceptable on applications for a telephone operation position).
Education	Whether or not the applicant is a high school graduate.	a) Show highest grade completed b) Detail your educational background

**THIS SPACE FOR AUTHORITY USE ONLY!
RESULTS OF INTERVIEW**

Interviewer: _____

Date: _____ Time: _____

Notes: _____

**Civil Rights Guide on Pre-Employment Inquiries
NJ DIVISION ON CIVIL RIGHTS GUIDE ON PRE-EMPLOYMENT
INQUIRIES**

BE IT FURTHER RESOLVED, that any policies or procedures in the Authority’s Personnel Policies and Procedures Manual and its Employees Handbook found to be contrary to the amended policies and procedures adopted hereunder, be, and hereby are deleted from said documents.

At this time Resolution No. 2016-042 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 by the Board of Commissioners of the Housing Authority of the Town of West New York that the attached approved New Jersey State Budget for FYE 09/30/15 is hereby adopted.

At this time Resolution No. 2016-043 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 Special Legal Services - Employment, in compliance with HUD procurement regulations; and

WHEREAS, on August 25, 2016, the Authority received proposals from:

Eric M. Bernstein & Associates, L.L.C., Warren, NJ \$120/hr
\$19,200 – Contract Fee

Scarinci Hollenbeck, Lyndhurst, NJ \$150/hr
\$24,000-Contract Fee

WHEREAS, the proposals were reviewed by the Authority’s Review and Evaluation Committee, consisting of Consultant Keefe and Executive Director DiVincent, with the Bernstein proposal scoring higher in the cost category and the **Scarinci** proposal scoring higher in both the Labor Union Contract Negotiation (based upon its prior experience with the Authority and its unique Ability (based upon its much larger staff and the Authority’s most recent experiences with emergent employment issues) categories. All other categories being equal, the **Scarinci** proposal thus scored higher.

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby awards a contract for Special Legal Services to **Scarinci Hollenbeck** for an amount not to exceed \$24,000.00(Contract Fee), in accordance with HUD regulations.

At this time Resolution No. 2016-044 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 has stated policy that an employee of the Authority in good standing, as determined by the Commissioners, who resigns from his/her employment of at least ten (10) years with the Authority shall be entitled to a separation benefit for unused time of one half (1/2) the unused time, up to maximum payment of \$8,500.00; and

WHEREAS, Sixto Caballero has resigned from his employment with the Authority and has been determined by the Commissioners to be eligible for the maximum separation benefit.

NOW THEREFORE BE IT RESOLVED that Sixto Caballero is entitled to an \$1165.90 separation benefit for unused vacation and \$3031.34 for unused sick days.

BE IT FURTHER RESOLVED that subject to budgetary and cash flow constraints, the Chairman and Secretary are hereby authorized to effectuate such \$4197.24 payment.

At this time Resolution No. 2016-045 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 by the Board of Commissioners of the Housing Authority of the Town of West New York that the attached approved New Jersey State Budget for FYE 09/30/16 is hereby adopted.

NOW, THEREFORE, BE IT RESOLVED that this adoption supersedes any prior adoption may have been given.

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 Comm. Fernandez. The roll was called as follows:

YEAS: Chairman-Rodriguez, Vice-Chairperson Roque, Commissioner Fernandez, Commissioner Oms.

NAYS: None

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:

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

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 Fuentes seconded.

Meeting adjourned at 8:06 p.m.

Respectfully Submitted,

Robert A. DiVincent
Secretary