

ITEM F (1)

**HOUSING AUTHORITY OF THE CITY OF PASSAIC
BOARD OF COMMISSIONERS' MEETING
O C T O B E R 8, 2014**

PLACE: COMMUNITY CENTER
299 GREGORY AVENUE
PASSAIC, NEW JERSEY 07055

READING OF THE OPEN PUBLIC MEETINGS ACT:

As required by NJSA 10:4-6 et seq. known as the Open Public Meetings Act, notice of the regular meeting of the Board of Commissioners of the Housing Authority of the City of Passaic was provided in the following manner: On October 2, 2014 the notice was transmitted to the Herald News and The Record and to the Clerk of the City of Passaic. Notice was also posted at all HACP sites.

PRESENT: Beatrice Johnson, Commissioner
Alan Juszcyk, Commissioner
Angel LaBoy, Commissioner
Henry Navarro, Commissioner
L. Daniel Rodriguez, Commissioner (Arrived at 5:16 p.m.)
Ronald Van Rensalier, Commissioner (Arrived at 5:20 p.m.)
Germaine Williams, Commissioner
Donald Caminiti, Esq.

STAFF MEMBERS PRESENT: Joann Arroyo
Amalio Barreto
Glenny Candelaria
Victor Cirilo
Jeffrey Gorley
Joanna Lara
Natasha Pearson
Barbara Rivera
Vincent Wynter

Meeting opened at 5:00 p.m.

Chairperson Williams asked for a moment of silence for Alfred Speer resident, Larry Miller, who passed away yesterday.

**APPROVAL OF MINUTES OF THE SEPTEMBER 17, 2014 BOARD OF
COMMISSIONERS' MEETING.**

A motion was made by Commissioner Juszcyk, seconded by Commissioner Johnson to approve the aforementioned minutes.

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Yes; Commissioner LaBoy: Yes; Commissioner Navarro: Yes; Williams: Yes.

ACTION: APPROVED.

RESIDENT COUNCIL REPORTS:

Katie Johnson, President, Vreeland Village Resident Council:

- Resident Council leaders met with Executive Director to discuss Brick Township agreement for Mr. Cirilo to provide administrative services as Executive Director on a part-time basis. Ms. Johnson stated that it was not in the best interest of the Passaic Housing Authority nor the Brick Township's residents to have this kind of agreement. She complained about a leaky refrigerator not being repaired. She stated: "Brick Township is an hour away...let them get their own full time Executive Director". Ms. Johnson also inquired as to the insurance coverage to be paid by the Authority for employees working at Brick. She said "if something goes wrong we would be held responsible."
- Rental Assistance Demonstration Program (RAD) – Ms. Johnson expressed concern about the seniors during the renovation of the kitchens and bathrooms, especially those who are bed ridden, in a wheelchair, and those with respiratory problems who use oxygen tanks. She stated that when the Authority presented the project to the residents they were told that funds were earmarked for this project and now the Authority is taking monies out of the capital fund for RAD. Ms. Johnson stated that before vouchers are issued for this program – background checks, rental and credit histories are taken into account.
- Director of Resident Services Report - Ms. Johnson inquired as to what funding would be used for the Hispanic Heritage Month Celebration.
- Resident Advisory Board (RAB) meeting – Ms. Johnson reported that when they met Mr. Cirilo was not present at the meeting. She was told that he said it was not necessary for him to be there that the staff person who was assigned to conduct the meeting could handle it. She stated that it was rumored that the staff person who met with the residents and staff and prepared the budget was no longer employed at the Housing Authority.

The Board welcomed Commissioner L. Daniel Rodriguez to the Board.

Mr. Cirilo asked to address the Board to clarify points made by Ms. Johnson.

- Insurance coverage is existing coverage; it is not additional coverage, which is standard in the public housing field.
- Contract with Brick Housing Authority was a short term services agreement that is paid to the agency not to the person performing the services.

- Agency Plan – Capital Fund budgets are a combination of input from residents, managerial and financial staff. It is sent to the Board for approval and then submitted to HUD.

Commissioner Johnson asked Mr. Cirilo elaborate regarding funding

After extensive discussion regarding RAD funding sources and the contribution of \$500, 000 from the Authority for the RAD project, the Board requested that Mr. Cirilo provide documentation including any meeting minutes, which confirms that this contribution was part of the plan since the beginning. In addition, they asked that they receive an itemization of funds.

Rene Griggs, President, Alfred Speer Village Resident Council:

- The hearts of the residents of Speer Village are deeply saddened over the passing of Larry Miller. Mr. Miller was very supportive of the resident council and would be missed.
- Ms. Griggs stated that resident leadership had brought up the issue regarding RAD over a year ago that the commissioners were bringing up now. She remarked that the resident leaders read their packets. Ms. Griggs added that she meets with the managers at AMP 1 and addresses what is needed at AMP1. She stated that many times residents don't have any input; they just review what is in front of them.
- Brick Township Agreement - She asked whether there is existing insurance through the Joint Insurance Fund like NJAPSHR has for its officers. She remarked that residents are not impressed by the \$50,000 that would go to the Authority, and stated that only a portion would go toward resident services. She said that it would be career advancement for the Executive Director and she would not like to hold anyone from expanding or exploring. She said they asked the Executive Director to do menial things which that had not been done, how could he do it when he is hours away?
- No Trespass (Barring) Policy- residents see nothing wrong and brought up points about timing being a little harsh to the Security Director.

Mr. Cirilo explained that the Passaic Housing Authority and Brick Township Housing Authority are part of JIF. He said "They add us and we add them," referring to the insurance coverage. He added "I should not address the menial things I was asked to do."

Ms. Griggs remarked that RAD was supposed to take care of everything. Some projects have been in the capital fund before. It is part of the Financial plan is not required but is needed.

REMARKS BY CITIZENS:

Jaroslaw Jackiw "JJ", 266 Lafayette Avenue:

- 1) Would the HACP Attorney advise the community if it is a violation of the current contract for the Executive Director to enter into a shared services agreement with an outside HA entity outside the City of Passaic?

- 2) Has the HACP finalized and awarded contracts for all renovation projects? Are these contracts available under the HACP/OPRA?
- 3) Are there any HACP shared services agreements with the following entities: City of Passaic/Passaic Police Department/Housing Department and the Board of Education?
- 4) Are there any Commissioners serving currently required to legally recuse themselves due to their current employment at various City or State entities? Would the HACP Attorney explain the reason for the recusal?
- 5) How many Commissioners resident outside the City of Passaic?
- 6) How many HACP employees reside outside the City of Passaic?
- 7) In reviewing the HACP Property Manager Job description, can the HACP Executive Director explain the following line "conducts and ensures completion of all annual apartment inspections and completion of work orders associated with them?"

Answers:

Mr. Cirilo:

- 1) The Housing Authority enters into a shared services contract not the Executive Director.
- 2) The Housing Authority awards contracts on a monthly basis. As it relates to RAD – No.
- 3) We purchase salt from the City of Passaic; we have an agreement with the Passaic Police Department. There are no contracts with the Housing Department or the Board of Education.

Attorney Caminiti: Follow up to number 1 – It is not illegal for the Housing Authority of the City of Passaic to enter into a shared services agreement.

- 4) If a commissioner feels they have a potential conflict they should recuse themselves.

Mr. Cirilo:

- 5) None.
- 6) The Authority would research and get back to "JJ".
- 7) Inspections are done once a year. Work order timeline - emergencies are done within 24 hours. Non-emergencies within three days.

Commissioner LaBoy: I have served on the Board for many years and all of the commissioners that I have served with reside in the City of Passaic. What is the rationale for this question?

"JJ": There were residents who made comments that commissioners were not sympathetic to the needs of the residents.

Commissioner LaBoy explained that commissioners are required to fill out form which discloses any potential conflicts of interest. When he became a commissioner he reported that he was the landlord of a section 8 tenant and her voucher was transferred to the County.

Commissioner Juszcyk: I am the governor's appointment and I was told I had to reside in the City of Passaic.

Jennifer Falkenstern, 101 Highland Avenue, Bergenfield, New Jersey:

- 1) Can you please explain what the affiliation the Housing Authority of the City of Passaic has with the Passaic Housing Affordable Coalition? Who is the Board and who created it?

Answer: This organization was created by the City of Passaic and is a not for profit corporation.

- 2) Is the Passaic Senior Housing LLC tax exempt? Can I OPRA request documents and information pertaining to the Passaic Senior Housing LLC?

Answer: The Passaic Senior Housing LLC is a for profit corporation, which was created in order for the tax credits to be allocated to that agency in order for the buyer of the tax credits to have the benefits of buying tax credits in the private sector. It is a subsidiary of the Passaic Housing Authority. If you are the owners, you are getting the tax credits but are you also getting a liability from that? Answer: It is a Limited Liability Corporation. It depends what kinds of contracts you enter into. The liabilities are of the Housing Authority at the end of the day. Can I OPRA request the documents? Answer: If there is a connection to the public body it may extend to that.... Information will be provided to Ms. Falkenstern prior to November 18th.

- 3) If the resolution passes pertaining to the contractual agreement between Brick Housing Authority and the Housing Authority of the City of Passaic (HACP) is it correct to assume that it is not just about the Executive Director but the "duties" of the Executive Director which would include current HACP employees working for Brick if they help the Executive Director fulfill particular duties? Answer: If it is approved, there is a possibility that other employees may have to assist the Executive Director.

Katie Johnson – 200 Sixth Street, Apt. 2B:

- Congratulated the new Commissioner.

My Name is Luis Daniel Rodriguez. I live at 342 Sherman Street, Passaic, New Jersey.... I work for the County at the Preakness Health Care Center. I am the Director of Admissions there.

Rene Griggs – 33 Aspen Place, Apt. 8A:

- Maintenance Appreciation luncheon went very well. Commissioner Williams and Commissioner Juszcyk attended. What they do on a daily basis does not go unappreciated.
- The governor's appointment could come from anywhere. We had a commissioner who lived in Edison, New Jersey. I am glad be you.

RESOLUTIONS:

2014 -56 RESOLUTION APPROVING ACCOUNTS PAYABLE FOR THE PERIOD OF SEPTEMBER 18, 2014 THROUGH OCTOBER 6, 2014.

A motion was made by Commissioner Johnson, seconded by Commissioner Navarro to approve the aforementioned resolution.

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Yes; Commissioner LaBoy: Yes; Commissioner Navarro: Yes; Commissioner Rodriguez: Abstained; Commissioner Van Rensalier: Yes; Commissioner Williams: Yes.

ACTION: APPROVED.

2014-57 RESOLUTION REQUESTING APPROVAL FOR OFFICIAL TRAVEL BY COMMISSIONER RONAL VAN RENSALIER FOR THE PURPOSE OF COMPLETING FIVE (5) COURSES MANDATED BY THE STATE OF NEW JERSEY.

A motion was made by Commissioner Johnson, seconded by Commissioner Navarro to approve the aforementioned resolution.

Commissioner Juszcyk: What is Commissioner Van Rensalier's job title with the City of Passaic? Has Commissioner Van Rensalier taken these courses previously during his employment with the City of Passaic? And if so, does he have to retake them or can he be given credit for any of them?

Commissioner Van Rensalier: Even though I have served on different entities every entity you serve on you have to take the classes.

Mr. Cirilo stated that the Authority would check with Anthony Petracca to see if he can be given credit for any courses taken by Commissioner Van Rensalier.

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Yes (with the stipulation that the Authority find out whether credit can be given if classes were taken by Commissioner Van Rensalier); Commissioner LaBoy: Yes; Commissioner Van Rensalier: Abstained; Commissioner Rodriguez: Yes; Commissioner Williams: Yes.

ACTION: APPROVED.

2014-58 RESOLUTION CERTIFYING THAT PURSUANT TO N.J.S.A.40A:5A-17 EACH COMMISSIONER HAS PERSONALLY REVIEWED THE ANNUAL INDEPENDENT FINANCIAL AND COMPLIANCE AUDIT OF AUTHORITY PROGRAMS FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013.

A motion was made by Commissioner Van Rensalier, seconded by Commissioner Navarro to approve the aforementioned resolution.

Commissioner Juszcyk read part of the resolution stating that same could be signed by the majority of the Board and if you have a quorum of four (4) votes the others do not have to sign; therefore, he would not be signing it because he was not a commissioner during calendar year 2013.

Commissioner LaBoy: You are agreeing that you looked at the report. It is the auditor who prepared it. We just looked at it and reviewed it. That is it. Attorney Caminiti confirmed his statement.

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Abstained; Commissioner LaBoy: Yes; Commissioner Navarro: Yes; Commissioner Rodriguez: Abstained; Commissioner Van Rensalier: Yes; Commissioner Williams: Yes.

ACTION: APPROVED.

2014-59 RESOLUTION INTRODUCING REVISIONS TO THE BARRING (TRESPASS AND BAN) POLICY TO ALL PUBLIC HOUSING RESIDENTS FOR A 30-DAY COMMENT PERIOD.

A motion was made by Commissioner Van Rensalier, seconded by Commissioner Johnson to approve the aforementioned resolution.

Commissioner Van Rensalier: Page 5, number 3: add Trespass and Ban List to the Housing Authority website. Attorney Caminiti will look into it during the comment period. Page 6, Item B: relates to a hearing of the residents to go before the Board (past criminal history) is that legal? Attorney Caminiti will look into this issue during the comment period. Page 8, number 3 relating to alcoholic beverages in common areas (there seems to be a time limit pertaining to previous item). Typo will be corrected. Clarify statement throughout document "no one may sit or walk across an electrical transformer".

Commissioner Williams explained that there is a small brick building at Speer which houses the electrical transformer and children usually climb and walk there.

Commissioner Juszcyk: Page 11 there is a typo in the middle of the page it reads "BHA" it should read "PHA".

Mr. Cirilo: We are going to send this for a 30-day comment period. I have a list of all the items that need to be corrected.

Commissioner Juszcyk: There is a discrepancy between page 8 and page 10 regarding selling and soliciting hours. Typos will be corrected

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Yes; Commissioner LaBoy: Yes; Commissioner Navarro: Yes; Commissioner Rodriguez: Abstained; Commissioner Van Rensalier: Yes; Commissioner Williams: Yes.

ACTION: APPROVED.

2014-60 RESOLUTION TO APPROVE AN EMPLOYMENT AGREEMENT FOR EMPLOYMENT SERVICES BY AND BETWEEN THE HOUSING AUTHORITY OF THE CITY OF PASSAIC AND HOUSING AUTHORITY OF THE TOWNSHIP OF BRICK

A motion was made by Commissioner LaBoy, seconded by Commissioner Navarro to approve the aforementioned Resolution.

Commissioner Juszyk: \$50,000 offered by Brick is inadequate. Right to hire others – no additional dollars were offered by Brick. Item number 7 Bond and Insurance no additional I am going to urge our fellow commissioners to reject this resolution. The residents of the Passaic Housing Authority need a full time Executive Director.

Mr. Cirilo gave a brief overview of the Brick Township original proposal and how it came about. In addition, he added that after HACP Board review Brick agreed on two out of the three stipulations - (1) 30 day termination clause; (2) took seven days from the original proposal, but they did not agree to an additional increase and did not move from the \$50,000.00.

Commissioner Johnson stated for the record that there was a stipulation that Mr. Cirilo met with the resident leaders, but the Board never received any minutes from said meeting.

Mr. Cirilo: There was a little bit of horse trading going on that I did not agree with. I am not going to give a parking spot to a resident in return for their approval. That is not how I operate. That is not how a public employee should operate. I am sorry I could not address your request.

Attorney Caminiti clarified that the title should be “Resolution to approve an interlocal agreement between the Housing Authority of the City of Passaic and the Township of Brick”. It is not an employment agreement.

Commissioner LaBoy: It seems that this has become a difficult situation. Public entities have to look at these shared services as something we should stay open to. Shared agreements should be looked at situation by situation. It is a cost saving measure. As a Housing Authority less and less money is going to come from the federal government... We really needed to know how much of the \$50,000 he [the Director] would be compensated ... at 20 percent, at 10 percent I am sorry that didn't happen.

Commissioner Williams: Shared services should be taken into consideration when it is needed. Brick are in need of shared services.... We are not in need of shared services. We have the funding to pay a full time Executive Director.

Mr. Cirilo stated that he had discussed with the Board that revenue generated would go toward a much needed teen program and other youth activities.

On roll call Vote: Commissioner Johnson: No; Commissioner Juszcyk: No; Commissioner LaBoy: Abstained; Commissioner Navarro: Yes; Commissioner Rodriguez: Abstained; Commissioner Van Rensalier: Yes; Commissioner Williams: No.

ACTION: FAILED.

2014-61 RESOLUTION AUTHORIZING CERTAIN PERSONNEL ACTION.

A motion was made by Commissioner Johnson, seconded by Commissioner Juszcyk to approve the aforementioned resolution.

Security Director introduced Ms. Erica Hicks. Ms. Hicks gave a brief background of her education, military service and work experience.

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Yes; Commissioner LaBoy: Yes; Commissioner Navarro: Yes; Commissioner Rodriguez: Abstained; Commissioner Van Rensalier: Yes; Commissioner Williams: Yes.

ACTION: APPROVED.

2014-62 RESOLUTION REQUESTING APPROVAL FOR OFFICIAL TRAVEL TO AND FROM BALTIMORE, MD BY ONE COMMISSIONER AND TWO RESIDENTS TO ATTEND NAHRO'S 2014 NATIONAL CONFERENCE & EXHIBITION OCTOBER 16-18, 2014.

A motion was made by Commissioner Johnson, seconded by Commissioner Navarro to approve the aforementioned resolution.

Commissioner Juszcyk: Does the potential lineup of the four attendees remain the same? Was room sharing considered?

Commissioner Williams: I did reach out to resident leaders. The option of sharing a room was not considered. There may be medical reasons....

The issue of sharing a room and exploring cost saving measures was further discussed by several Board members.

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Abstained; Commissioner LaBoy: Yes; Commissioner Navarro: Yes; Commissioner Rodriguez: Yes; Commissioner Van Rensalier: Yes; Commissioner Williams: Yes.

ACTION: APPROVED.

2014-63 RESOLUTION REQUESTING APPROVAL FOR OFFICIAL TRAVEL TO AND FROM ATLANTIC CITY, NJ BY THREE COMMISSIONERS, THREE

HACP STAFF MEMBERS AND THREE RESIDENTS TO ATTEND
NJNAHRO TRAINING ON NOVEMBER 18-19, 2014.

ACTION: WITHDRAWN.

2014-64 PHA CERTIFICATIONS OF COMPLIANCE WITH THE PHA PLANS AND
RELATED REGULATIONS; BOARD RESOLUTION TO ACCOMPANY THE
PHA 5-YEAR AND ANNUAL PHA PLAN.

A motion was made Commissioner Navarro, seconded by Commissioner LaBoy to approve the
aforementioned resolution.

On roll call vote: Commissioner Johnson: No; Commissioner Juszcyk: Yes; Commissioner
LaBoy: Yes; Commissioner Navarro: Yes; Commissioner Rodriguez: Abstained;
Commissioner Van Rensalier: Yes; Commissioner Williams: No.

ACTION: APPROVED.

ITEM I: CONSULTANT'S REPORT:

Commissioner Juszcyk asked when was Execu-Tech hired and when does the contract expires?
Mr. Cirilo stated he would have to get back to him.

ITEM O: DIRECTOR OF RESIDENT SERVICES' REPORT.

Commissioner Williams reported that an event was held at the Boat House - children from
the Tutorial Program displayed their paintings. 10 paintings were sold. She asked that the other
paintings are displayed at the Authority.

Commissioner Juszcyk asked to be invited to upcoming events.

ADJOURNMENT:

A motion was made by Commissioner Johnson, seconded by Commissioner Juszcyk to adjourn
the meeting.

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Yes; Commissioner
LaBoy: Yes; Commissioner Navarro: Yes; Commissioner Rodriguez: Yes; Commissioner
Williams: Yes.

Respectfully submitted,



Victor Cirilo
Executive Director