

**ITEM D**  
**HOUSING AUTHORITY OF THE CITY OF PASSAIC**  
**BOARD OF COMMISSIONERS' MEETING**  
**JANUARY 21, 2015**

PLACE: Community Center  
33 Aspen Place  
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 this meeting was provided in the following manner: On December 12, 2014 notice of this meeting specifying the date, time and location 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 (Arrived at 6:14 p.m.)  
L. Daniel Rodriguez, Commissioner  
Ronald Van Rensalier, Commissioner  
Germaine Williams, Commissioner (Arrived at 6:12 p.m.)  
Terrence J. Corrison, Esq.

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

Meeting opened at 6:10 p.m.

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

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

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

**ACTION: APPROVED.**

**RESIDENT COUNCIL REPORTS:**

**Rene Griggs, President, Alfred Speer Village Resident Council:**

- Remembered Vincent Capuana and his contribution to Alfred Speer Village,
- Recognized the work of Security Director Jeff Gorley and his outreach to the parents of youth who may be at risk of becoming involved in gang activity. He remarked that Mr. Gorley is doing an excellent job making sure the properties are safe.
- Reported having a conversation with Commissioner LaBoy and plans to have fundraisers for the youth in an effort to have them focused in positive activities.

**Katie Johnson, President, Vreeland Village Community Association:**

- Thanked the Commissioners for having the children of the Vreeland Village Tutorial Program perform at the meeting.
- Reported that former resident Kasim Washington is working with the children. The Vreeland Village children are doing community service at the senior sites. The City needs to have more activities for the children.
- Spoke about her involvement for many years in the Board of Education and the importance of working with the children and teach them to communicate with one another.
- Praised the work of Robin Miller, Supervisor of the Vreeland Village Tutorial Program.
- Asked Executive Director for an inspection report. He would forward a copy to her as soon as it is received.

Commissioner Williams reported that Resident Leader, Ann Robinson, excused herself due to illness, but will be at the next Board meeting.

**REMARKS BY CITIZENS:**

Jennifer Falkenstern, 101 Highland Avenue, Bergenfield, NJ 07621:

I am going to tell you a little bit about me first. I've come to these meetings for almost a year and I come with Mr. Eric Kolbe, who was the past Executive Director. When we first started to come Eric was very concerned about Speer Village – the destruction of it. Two years ago there were articles about it being destroyed...that said the place is was in disarray; there were drugs, there was graffiti and the place needed to be knocked down. Eric saw this and he was upset and he wanted to go to Passaic. I started to do research on what was going on with RAD .... What I

quickly learned ...is that this might not be beneficial for some of these residents. Who would really manage these? Would the Housing Authority lose their potential ability to manage based on all of RAD? Sometimes I feel I am a thorn in Mr. Cirilo's side, I am treated like that. I question things and I want the Board meeting packets and that has been a problem sometimes.... but this is a public place.... Home is where the heart is, but home is also what we make and we create and where we feel community... and the potential of taking this home away from somebody like Katie Johnson who talks about it – this community worries me. Do I have any stake? Not really, I am just a citizen, but that's a stake enough. I would stand here, like Katie says sometimes, by myself if I have to and question things and do that. My interest is the children mostly, first and foremost. If the children need anything Mr. Kolbe would help in a second.... And I have some questions now:

Resolution 2015-01:

12/17 Check to Friend and Friend Attorney for loan in the amount of \$292,396.72 - What does a loan to Passaic means?

12/22 Check to Passaic Affordable Housing Corp to complete loan \$70,713.26 - What are those for? ... The Passaic Affordable Housing Corporation, unless it is for the Passaic Affordable Housing Coalition ... I believe was stopped in 2005.... Is that a loan that you took or a loan that you have?

Another thing that I've had major contention with is getting OPRA documentation sometimes. The Consultant's report says: *"The owner/borrower entity was formed during this report period and has been called the "Passaic Senior Housing, LLC." The Housing Authority is the single member of this entity as indicated in the "Operating Agreement" that was also established and approved."* Therefore, if the Passaic Senior Housing, LLC was made under the Housing Authority as a single member of the entity, everything there is under the Open Public Records Act. And I say, am I correct? Because I believe I am, so that is something that when I've asked for things, I've been told I had to go through counsel... The next thing that I've wondered about was if they were the operating and they are the manager and the single owner -- is it necessary to draft a management agreement between the Passaic Senior Housing, LLC and the Passaic Housing Authority?

Victor Cirilo (VC): Ms. Falkenstern gave a little bit of her background ...but for the sake of transparency ... are you an employee of Mr. Kolbe or are you a member of the public?

Ms. Falkenstern: What does that matter?

VC: It matters because you are stating in here you are a ...

Ms. Falkenstern: I am not the transparent one you are.

VC: Just for the record, I just want to make sure that is known to the public that she is an employee of Mr. Kolbe.

Ms. Falkenstern: I am not.

Chairperson Van Rensalier asked that Mr. Cirilo addressed Ms. Falkenstern questions.

VC: Let's start with OPRA and counsel can talk about some of the questions that have come up and Ms. Falkenstern has made good arguments in terms of how the OPRA law works.... We have a Rental Assistance Demonstration program that is a new program nationwide, where a lot of the laws we do not know how they relate to these set ups. Passaic Senior Housing LLC is a private corporation and I've presented this question to counsel as far what is the extension of the OPRA law. I am trying to be as transparent as possible...tell you about how OPRA works. We have provided documents to Ms. Falkenstern as she requested. One of them was rescinded by her... We've complied with all her requests for OPRA and I just want to make sure that is made public and in instances where there are legal questions, counsel and I are working on that

Question number one is the issue with the Passaic Senior Housing LLC which was formed for the purposes of maintaining an asset... it had to be done through the RAD program the way HUD designed the program. How the Open Public Records Act does is incorporated into that? We don't know that yet, counsel is working on that....

Question number two... is the issue of the request of documents that don't exist. We are trying to figure out whether we can OPRA documents that don't exist. Example, you can request budgets, you can request packets, but those documents don't exist. So what does the law says as far as proactive requests? There is case law that counsel and I are reviewing as it relates to that. We have discussed a potential solution to that so that we don't run into these issues... OPRA stands for Open Public Record Act documents that exist. When Ms. Falkenstern asks for records that don't exist, how do we answer that? That is the second legal question.

Regarding to Resolution 2015-01:

VC: The Board approved last year a loan to the Passaic Affordable Housing Coalition for the purposes of obtaining an asset, which was in foreclosure. The asset has been secured. The loan has been extended and we are looking to increase the amount of affordable housing that we have provided in the city. The objective of the Housing Authority is to put together a rent to own program and help some of our families realize the dream of homeownership. There is an agreement in place and it needs to be repaid with interest to the Passaic Housing Authority with interest as a mortgage.

Chairperson Van Rensalier stated that he has experience dealing with OPRA documents and if a document does not exist the entity does not have to provide it.

Attorney Corriston addressed Ms. Falkenstern: We are working on it and you will have a response.

**Jaroslav Jackiw "JJ" – 266 Lafayette Avenue:**

Can the Executive Director advise the community as to the status of all RAD applications?

How many RAD applications were processed in 2014?

Has the HACP finalized/awarded all contracts for all PAHC- renovation projects in 2015?

Mr. Jackiw will OPRA aforementioned information.

When will PAHC post all contracts?

VC: I cannot speak for the Passaic Affordable Housing Coalition. I cannot answer that question.

When will the Passaic Housing Authority post the following contracts exceeding \$17,500 for years 2013 and 2014?

When will the Passaic Housing Authority post financial statements and supplemental information for the following:

For the years ended December 31, 2014 and 2013.

For the Years ended December 2013 and 2012.

VC: Latest information will be posted tomorrow.

**Brenda Allen, 24 State Street, Apt. 5F:**

- Has been a resident over 20 years and has a program, "Buddyflies Reach", which provides speakers, teachers, and food. She had planned an event at Chestnut Gardens six months in advance and ten days before the event the resident leader stated that if she wanted to hold the event there she would have to pay \$100 and she had to hold the event at another site.

VC: We will look into this matter.

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

- Speer has a larger venue and may be able to speak to Ms. Brenda Allen and will be working with her.
- Coats, hats, scarfs and gloves will be given away to families in need this Saturday.

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

A motion was made by Commissioner Navarro, seconded by Commissioner Johnson to close the public portion of the meeting.

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



**RESOLUTIONS:**

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF PASSAIC AS CONSENT AGENDA ITEMS. ANY MEMBER OF THE BOARD MAY REQUEST THAT ANY ITEM BE REMOVED FROM THE CONSENT AGENDA AND BE CONSIDERED SEPARATELY. ALL REMAINING ITEMS WILL BE CONSIDERED TOGETHER.

Commissioner Juszcyk requested that each resolution be considered separately.

2015-01      RESOLUTION APPROVING ACCOUNTS PAYABLE FOR THE PERIOD  
DECEMBER 15, 2014 THROUGH JANUARY 16, 2015.

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

Commissioner Juszcyk made reference to the background checks for tenants. Is that something that is required yearly for every tenant by HUD or by policy?

Victor Cirilo: It is done once during intake.

Commissioner Juszcyk: This entire list of people are new people to the program then.

VC: Yes they are.

Commissioner Juszcyk: Business cards were printed for certain employees. Have you ever considered using Vista Print?

Mr. Wynter: Based on our procurement process we cannot use them.

Mr. Cirilo: The State of New Jersey does not allow a local government entity to have a credit card and in the absence of that we are not allowed to really move forward.

There was additional discussion regarding on-line procurement.

Commissioner Juszcyk questioned check in the amount of \$3,648.00 to Attorney Joseph Wenzel.

Mr. Wynter stated that amount was for the last quarter billing relating to labor related matters.

Commissioner Juszcyk questioned check in the amount of \$10,000 to Susan B. Lintz a tax credit consultant and asked whether she would provide a report or whether a report would be part of Execu-Tech's report.

Mr. Cirilo explained that her role was to put together a tax credit application and her services were very straight forward. He invited Commissioner Juszcyk to come to the Authority to

review the contract. Commissioner Juszcyk stated he would.

Commissioner Juszcyk questioned the pest control services of Bug Eliminators and E & G exterminators.

Mr. Wynter explained that E& G exterminators provided routine pest control services and Bug Eliminators provided bed bug extermination.

Commissioner Juszcyk asked who accompanied the exterminators when these services were performed. Mr. Wynter replied that the managers or other staff.

Commissioner Juszcyk asked who determined when the bed bug extermination was needed.

Mr. Cirilo explained that residents call and place a work order. Mr. Cirilo explained that the company bring in a bed bug sniffing dog and if he detects the presence of bed bugs then arrangement are made for extermination.

Commissioner Juszcyk asked if the dog ever determined that there was no presence of bed bugs. Mr. Cirilo replied yes.

Chairperson Ronald Van Rensalier suggested that in the future routine questions can be addressed to the Executive Director or the Director of Finance in order to run a more efficient meeting.

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

**ACTION: APPROVED.**

2015-02      **RESOLUTION AUTHORIZING APPROVAL OF THE RESIDENT SERVICES ACTIVITIES BUDGET OF THE ALFRED SPEER VILLAGE RESIDENT COUNCIL, INC. FOR THE FISCAL YEAR OF 2015 IN AN AMOUNT NOT TO EXCEED NINE THOUSAND FIVE HUNDRED TWENTY FIVE DOLLARS (\$9,525.00).**

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

Commissioner Juszcyk I am going to recommend and make a motion that this resolution be tabled so that more detail can be provided.

Chairperson Van Rensalier: There is a motion to table. No one seconded the motion. Motion failed.

Vote to approve the resolution:

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

**ACTION: APPROVED.**

2015-03      **RESOLUTION AUTHORIZING APPROVAL OF THE RESIDENT SERVICES ACTIVITIES BUDGET OF THE VREELAND VILLAGE COMMUNITY ASSOCIATION, INC., FOR THE FISCAL YEAR OF 2015 IN AN AMOUNT NOT TO EXCEED TWO THOUSAND EIGHT HUNDRED SEVENTY FIVE DOLLARS (\$2,875.00).**

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

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

**ACTION: APPROVED.**

2015-04      **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO EXECUTECH, INC. FOR CONSULTING SERVICES FOR RAD PROGRAM AND TECHNICAL CONSULTING SERVICES AT AN AMOUNT OF ONE HUNDRED FIFTY DOLLARS (\$150.00) PER HOUR AND A FEE NOT EXCEED .05 PERCENT OF TOTAL DEVELOPMENT COST.**

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

Commissioner Juszcyk he made reference to four proposals submitted, but no accompanying graph and resolution does not list the lowest responsible bidder.

Mr. Cirilo: We are unfortunately operating without a purchasing person right now. We have someone in transition.

Mr. Barreto explained that Execu-Tech was the lowest responsible bidder.

Attorney Corrison asked that the resolution be amended to read as follows: "...the most responsible and qualified firm"

Commissioner Williams asked if the other individuals had RAD background. Mr. Barreto stated that all had RAD background.



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

**ACTION: APPROVED AS AMENDED.**

2015-06      RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF PASSAIC AUTHORIZING AWARD OF CONTRACT TO ADVISORS ENERGY GROUP, LLC TO CONDUCT ONLINE BIDDING AND REVERSE, AUCTION SERVICES FOR THE PURCHASE OF NATURAL GAS AND ELECTRICITY

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

Commissioner LaBoy requested additional information regarding a reverse auction. Mr. Cirilo and Attorney Corrison explained reverse auction process.

Commissioner Juszcyk: There were two proposals. I would imagine this was the cheaper one.

Mr. Barreto: Yes.

Commissioner Juszcyk: Are you aware of the State Attorney General's suits against some energy providers during 2014 when they did not delivered what they promised to consumers. Attorney Corrison stated that he was aware and that the company was licensed.

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

**ACTION: APPROVED.**

2015-05      RESOLUTION FOR THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF PASSAIC AUTHORIZING AN EXTENSION OF THE CONTRACT TO NEW JERSEY SOLUTIONS AND ELECTRICAL, LLC FOR SERVICE, REPAIR AND MAINTENANCE OF CLOSED CIRCUIT TELEVISION AND SURVEILLANCE SYSTEMS AND EQUIPMENT AT ALL AUTHORITY SITES THROUGH FEBRUARY 28, 2015 IN AN AMOUNT NOT TO EXCEED THE ORIGINAL TERMS OF THE CONTRACT.

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

Mr. Cirilo: We are asking for one month so that we can finish the RFP process. In the meantime we are looking for someone to continue servicing our camera systems.

On roll call vote: Commissioner Johnson: Yes; Commissioner Juszcyk: Yes; Commissioner

LaBoy: Yes; Commissioner Navarro: Yes; Commissioner Rodriguez: Yes; Commissioner Williams: Yes; Commissioner Van Rensalier: Yes.

ACTION: APPROVED.

**CORRESPONDENCE:**

Mr. Cirilo: A letter was received from the U.S. Department of Housing and Urban Development approving the annual and the five year plan that was submitted. Also, I would like to correct my report - I put that I had submitted the FHA Mortgage application. HUD approved a two- week extension.

**COMMITTEE REPORTS:**

Mr. Cirilo reported that the Personnel Committee met yesterday to discuss certain personnel matters that would be presented to the Board at the next meeting.

**NEW BUSINESS:**

Commissioner Williams reiterated what Ms. Rene Griggs reported earlier about an event on this Saturday, from 12:00 noon through 3:00 p.m. The Passaic High School Octagon Club under the direction of Reverend Nancy Nieves and Minister Juan Nieves and the Alfred Spear Village Resident Council will be sponsoring a coat, hat, gloves, and scarf give away for men, women and children.

**ADJOURNMENT:**

A motion was made by Commissioner Juszcyk, seconded by Commissioner Van Rensalier 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; Commissioner Van Rensalier: Yes.

ACTION: APPROVED.

The meeting was adjourned at 7:53 p.m.

Respectfully yours,



Victor Cirilo

Executive Director/Secretary