

FALMOUTH HOUSING AUTHORITY
COMMISSIONERS GENERAL SESSION BOARD MEETING MINUTES
March 20, 2023

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The Falmouth Housing Authority conducted a General Session Public Hearing Monday, March 20, 2023. The general session began at 4:30 p.m. and moved into an executive session. The special session (public hearing) and general session were held immediately thereafter. The Board did its best to adhere to posted time frames, but times may have varied.

The meetings were held via a virtual meeting pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020.

The public may join in the general session meeting by going to:

Link: <https://us02web.zoom.us/j/82670448185> Meeting ID: 826 7044 8185

Audio Access: 1-646-558-8656 Meeting ID: 826 7044 8185

MEMBERS PRESENT: Patricia Favulli
Michael Galasso
Kathleen Haynes
Robert Mascali
Stephen Patton

STAFF PRESENT: Bobbi Richards, Executive Director
Leslie Pearce, Assistant Director
Charles Starr, Fiscal Officer
Michael Coffey, Maintenance Superintendent

OTHERS PRESENT: Laura Bancroft
Karen Thurber
John Winslow and Chris Kicza, Winslow Architects
Lawrence O'Brien
Frank Flynn, Flynn Law & Associates, P.C.
Lynn Rhodes
Maureen McIver, Independent Recording Secretary

OPEN SESSION

At 4:38 p.m. Patricia Favulli called the meeting to order.
She called for a motion to move to executive session.

EXECUTIVE SESSION

1. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares.

Resolution 2023-086

At 4:38 p.m. Robert Mascali moved to go to executive session. Steve Patton seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Steve Patton-aye

Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

RETURN TO OPEN SESSION

At 5:07 p.m. Patricia Favulli called the regular session to order again.
To accommodate schedules, the Board agreed to take items out of order.

-241 Scranton Ave – Lawrence O’Brien (Abutter) and Flynn Law & Associates, PC (FHA) -
VOTE

Neither Lawrence O’Brien nor Frank Flynn had any questions. Lawrence O’Brien stressed that there was urgency and Frank Flynn said that they would be sensitive to this concern.

-096096 – 20 Madeline – vacant unit rehab – VOTE

Bobbi Richards reported that Michael Coffey had walked the property with DHCD. She said that she would like the funds to be accepted so that the project may be started. This would help with the goal of federalization. Steve Patton noted that the scope is clear but the timeline unfortunate.

Resolution 2023-088

Steve Patton moved to accept the funds for the rehabilitation of the vacant unit at 20 Madeline in the amount of \$92,415. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Steve Patton-aye

Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

Public Comments

None.

-Winter FHA Workshop, Saturday, Date Change TBD, 9:00 a.m. – 12:00 p.m.

The Board determined that September would be the best time for a workshop. Dates will be sent to Bobbi Richards.

-Maintenance Department update and portfolio review

Michael Coffee reported that the DHCD proposal for 44 Caroline was not up to FHA standards. Their proposal would make the unit livable but there would still be issues with insulation and stability of floor joists under the bathroom especially. Bobbi Richards noted that FHA believes that the unit needs a lot more work and has asked DHCD to come look at the unit, recently vacated by a 20 year tenant but it has been difficult to get the state to agree to modernization. Patricia Favulli suggested that Michael Coffee put this in writing for the board to sign and present to DHCD or perhaps engage an independent consultant.

-Vacant unit rehab project underway for 38 Marshall and 130 Edgewater Dr

Bobbi Richards reported that the projects are currently under DHCD funding and underway.

-Bobbi Richards reported that there have been 2 deaths and 3 transfers to higher levels of care.

Report of the Fiscal Officer

-Payment of bills and HAP payments – VOTE

Resolution 2023-089

Steve Patton moved to approve bills and HAP payments. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-abstained

Kathleen Haynes-aye

Steve Patton-aye

Robert Mascali-aye

4 Ayes (Favulli, Haynes, Mascali, Patton) 0-Nays 1-Abstain (Galasso) MOTION CARRIED

-Review of monthly financials, public housing aging reports

Two more past due rental payments have been processed.

Approval of Minutes

-Executive Session 1/30/23 – VOTE

Resolution 2023-090

Steve Patton moved to approve and not release. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Steve Patton-aye
Robert Mascali-aye
5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

-General Session Minutes of 4/19/22 – VOTE

Resolution 2023-091

Steve Patton moved to approve. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye
Michael Galasso-aye
Kathleen Haynes-aye
Steve Patton-aye
Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

-General Session 2/21/23- VOTE

Resolution 2023-092

Steve Patton moved to approve. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye
Michael Galasso-aye
Kathleen Haynes-aye
Steve Patton-aye

4 Ayes(Favulli, Haynes, Galasso, Patton) 0-Nays (Mascali silent on vote) MOTION CARRIED

Report of the Assistant Director

-Leased housing report

Leslie Pearce reported that Housing Choice Vouchers have dropped down a bit; Mainstream is steadily increasing every month.

The public housing wait list is reopening in April.

The Board noted that there are many fewer vacancies now in public housing than at this time last year.

Report of the Executive Director

-Cable bulk contract as optional – VOTE

A discussion included the following:

- Bobbi Richards informed that a complaint was filed with HUD about the \$31 per month fee that tenants are charged for cable. HUD is requiring that FHA immediately stop charging for cable. Bobbi Richards noted that this charging for cable is a common practice with housing authorities across Massachusetts and several housing authorities on the Cape are surprised that HUD has issued this directive. Many housing authorities besides FHA will be affected. There have been 3 or so objections to the charge in the

past but no complaints have been filed until now. Monthly, the FHA pays about \$2,600 for Harborview, \$2,700 for Tatakot, \$1,900 for Rose Morin, \$800 for Choate, \$1,000 for Salt Sea bringing the cost for basic cable to \$5,000 or \$6,000 per month.

- Bobbi Richards asked the Board for guidance. She said that a plan is needed because as of April 1st, tenants may no longer be charged \$31 for cable. The FHA must assume the cost of the \$31 per tenant charge. A letter will be sent to tenants; a grace period of at least 30 days is recommended. HUD does offer some programs that could lend help to low-income tenants.
- Patricia Favulli said that there was a group at the library that helps people get low cost cable. Kathleen Haynes said she participates in a program that cost \$27.95 a month and includes internet.
- Michael Galasso asked if tenants would be willing to take the service at \$31 per month. Maybe the service could be improved to include internet.
- The agreement is written in the lease and HUD said it would have to be removed.
- Bobbi Richards has reached out to Comcast but they have not reached back.
- Bobbi Richards said it is up to the FHA about the grace period; the FHA will be paying after April 1st regardless.
- Have any other housing authorities challenged HUD about this?
- Why didn't HUD know about the charge? They do lease reviews.
- Robert Mascali thought that the committee should vote to continue until May and see if it is possible to challenge HUD based on this being a long-term practices.
- Bobbi Richards read from the email that HUD sent: any charge for cable must be optional; operating or capital funds may not be used to fund cable. This presents a challenge for paying the cable bill.
- About 80% of tenants use cable.
- Tenants pay the charge combined with their rent and the fiscal officer separates the two.
- Involving Comcast could be a big part of the solution. This will be impactful for them as well. Housing authorities across Massachusetts and across the country will be affected.
- Bobbi Richards sought clarification: Does the board agree that as of 4/1 we are not charging any tenant for cable as per HUD directive? And notice will be given to all tenants for 5/1.
- Patricia Favulli said yes.
- Michael Galasso said that the FHA needs more notice to implement. The FHA will comply with the HUD directive but more time is needed. The contract with Comcast was just signed.

Resolution 2023-093

Michael Galasso moved to send a letter to HUD, with a copy to Comcast saying that the FHA intends to implement the directive but 90 days may be needed to implement.

Robert Mascali seconded.

Bobbi Richards asked if this meant continuing to charge the tenants the \$31 for the 90 days as the issue is reviewed. The consensus of the board was to continue charging.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye
Kathleen Haynes-aye
Steve Patton-aye
Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

-Harborview ADA Conversion #103, presented by Winslow Architects – VOTE

John Winslow appeared to present the proposal. He noted that they prepared a proposal for the renovation for the bathroom in its entirety, not just the shower. He apologized if he had misunderstood the scope of the work. A key question is whether the work triggers a complete overhaul to ADA or MAAB standards. Whichever standard is stricter prevails. Originally, they thought that the standards were triggered but after a conversation with Bobbi Richards this morning, Winslow now believes that the standards are not triggered by the work. The only item in question is a floor drain. Winslow recommends a floor drain. The revised proposal does not comply with ADA standards. The cost difference in proposals was due to compliance with ADA standards or just addressing the shower. The proposal with the lesser cost was done pre-covid and costs have increased 30-40% since then.

Bobbi Richards offered further explanation. A group of 8 units are identified as being ADA units. Consideration of the proposal has caused questions about whether the units are truly ADA compliant. A review may be necessary.

Resolution 2023-094

Michael Galasso moved to budget \$20,000 for the proposal with a 25% contingency. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye
Michael Galasso-aye
Kathleen Haynes-aye
Steve Patton-aye
Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

Reports of Special committee appearances

-Robert Mascali – Cape Cod Commission
-Michael Galasso – FHA Solar Committee
The reports were tabled until the next meeting.

-April Meeting Date Change to Monday, 4/24/23 – VOTE

Resolution 2023-095

Patricia Favulli moved to change the meeting date to Monday, 4/24/23. Steve Patton seconded.

A roll call vote was taken:

Patricia Favulli-aye
Michael Galasso-aye
Kathleen Haynes-aye
Steve Patton-aye

Robert Mascali-aye
5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

-AED Defibrillators in Community Rooms

Tenants have requested. Bobbi Richards has reached out to the insurance company and the fire department. The Board supported moving forward and Bobbi Richards will make further investigations.

-OIG Report: Mashpee Housing Authority – Review of Contract with Former Executive Director; recommendations 2/10/23
To be reviewed at the May meeting.

-Wage Match for State Housing Tenants policy revision, DHCD 2023-03-VOTE
Bobbi Richards explained that this was just a change in language.

Resolution 2023-096

Steve Patton moved to accept the revision. Steve Patton seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Steve Patton-aye

Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

- Changes for appointed Town Members DHCD PHN 2021-21
Presented for the Board's information.

- Update to Public Housing Notice 2021-01 Town Appointed Tenant Board Members
Presented for the Board's information.

-Independent recording secretary, \$130 per meeting to \$150 per meeting- VOTE

Bobbi Richards explained that the recording secretary has asked the FHA to match the wages that the town now pays for providing a written record of public meetings.

Resolution 2023-097

Kathleen Haynes moved to approve the request to pay the recording secretary what the town pays. Steve Patton seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Steve Patton-aye

Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

-Disposition of Assets: 1999 GMC Sierra S10, 1996 Ford 350, 1994 Chevy GMT400 –
VOTE

Bobbi Richards explained that there were 3 vehicles on the property that no longer worked and had not worked for a long time.

Resolution 2023-098

Michael Galasso moved to accept the disposition with the condition that any replacement vehicle be hybrid or completely electric. Kathleen Haynes seconded.

Michael Galasso noted that only a 220 outlet was needed to charge.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Steve Patton-aye

Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

-Correspondence and Activities report – VOTE

Reviewed for the board's information

-AEP Independent report

Bobbi Richards noted that there was one finding: A certificate of occupancy could not be located for one unit.

-Bobbi Richards reminded that her contract expires on 6/30. She will prepare a packet for the May meeting.

Adjournment

Resolution 2023-098

At 6:24 p.m. Kathleen Haynes moved to adjourn. Steve Patton seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Steve Patton-aye

Robert Mascali-aye

5 Ayes (Favulli, Haynes, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

Relevant Documents

DHCD Falmouth Vacant Turnover Work Order 096096 20 Madeline Rd & Award Letter

Harborview Unit 103 Cost Estimate and Comments from Winslow Architects

April 2023 Meeting Date Change Request

Complaint – Cable Fee Mandatory

DHCD Vacant Unit Rehab for 38 Marshall

Disposition of Assets – 3 vehicles

Falmouth Financials – Public Housing report, HAP YTD by Landlord and HAP General Report for March 2023

General Session Draft Minutes of 2.21.23

Independent Recording Secretary Fee Change

Leased Housing Summary March 2023

Letter to Owner 241 Scranton Ave from Flynn Law Group

March 2023 ED Report of Correspondence and Activities

Mashpee Housing Authority Review of Contract with Former Executive Director

PHN 2021-01 DHCD Changes Pertaining to Town Appointed Tenant Board Members

Portfolio Workshop date request