

FALMOUTH HOUSING AUTHORITY - COMMISSIONERS BOARD MEETING MINUTES
Tuesday, December 14, 2021

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The Falmouth Housing Authority conducted a General Session and an Executive Session Commissioners Board Meeting on Tuesday, December 14, 2021. The general session began at 4:30 p.m.; the Executive Session was held immediately following the general session. Both meetings were held virtually pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020.

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

Link: <https://us02web.zoom.us/j/88331057363> Meeting ID: 883 3105 7363

Audio Access: 1-646-558-8656 Meeting ID: 883 3105 7363

MEMBERS PRESENT: Patricia Favulli
Robert Mascali
Stephen Patton
Michael Galasso
Kathleen Haynes (*logged in at 4:33 p.m.*)

STAFF PRESENT: Bobbi Richards, Executive Director
Chuck Starr, Fiscal Officer

OTHERS PRESENT: Laura Bancroft
John Winslow and Chris Kicza, Winslow Architects
Carrie Gentile, Falmouth Enterprise
Eric Turkington, Falmouth Housing Corporation
Linda Clark, Falmouth Housing Corporation

OPEN SESSION

Call to Order

At 4:32 p.m. Patricia Favulli called the meeting to order. Patricia Favulli requested a motion to take items out of order.

Resolution 2022-040

Robert Mascali moved to take items out of order. Steve Patton seconded.
4 Ayes (Favulli, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

Approval of General Session Minutes of 11/23/21

Bobbi Richards asked that the minutes be tabled.

Resolution 2022-041

Steve Patton moved to table the minutes of 11/23/21. Michael Galasso seconded.
4 Ayes (Favulli, Galasso, Mascali, Patton) 0-Nays MOTION CARRIED

Report of Maintenance Department

-Update - 2021 Emergency and Disaster Grant Funding Application – Tatakot Apartments, Additional Funding Request:

John Winslow offered the following report on what has been found at Tatakot:

The initial scope of work was to have been the domestic water lines and mold remediation, similar to the work done at Harborview. The balconies were to be done as a separate project. Winslow Architect did forensic work beginning with one unit and then request a second unit to investigate. After exploring the two units, leaks were discovered in the domestic lines and also in the heating lines that feed the individual units. These heating lines are Type M copper which is now banned. The main heating lines appear to be fine. It does not make sense to ignore the problem of the leaking heat lines when the building is opened up. John Winslow did not recommend proceeding without addressing this. The issues came to light last week. John Winslow understood that funds were not available for the increased scope, word of an extension for committing funds has not been provided and there was a deadline to commit existing funds pending. The forensic work done revealed more work to be done than originally estimated not less. A forensic expert was recommended because weeping around windows and masonry was observed.

The Commissioners were in agreement that the focus should be on getting an extension and/or additional funding and doing the repairs correctly.

Bobbi Richards asked the Commissioners to consider a second meeting to address a revised contract for forensics. A consensus was for two meeting in January.

-Final Payment (Application No. 7) – MCI Contracting, Inc. – Harborview Piping Project - \$91,137.07

Chris Kicza reported that the final sign off was conditional provided that Winslow Architects produce an affidavit regarding work done.

Resolution 2022-042

Steve Patton moved to approve provided the Building Department approves the final signoff. Michael Galasso seconded.

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

-Certificate of Substantial Completion – JW Dubis & Sons, DHCD 096075 - \$6878.00 -VOTE

Bobbi Richards clarified that this was a septic project done through the state.

Michael Galasso inquired if the Board of Health had signed off on the project.

Robert Mascali suggested that approval of all necessary local regulating authorities be a standard condition of approval for Commissioners' votes.

Resolution 2022-043

Robert Mascali moved to approve the substantial completion of DHCD 096075/JW Dubis & Sons, provided the Board of Health has signed off. Steve Patton seconded.

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

-Status of current unit turns; review of federal and state expectations:

Bobbi Richards presented the report. A discussion included the following:

- There have been a significant number of tenant deaths over the past 12 months; other housing authorities across the state have experienced the same thing.
- Average years of tenancy influence the turn over rate and have been included in the report.
- At the state level, all units are on waivers.
- State calculations for maintenance are based on the portfolio. With 5 full time maintenance people, the FHA is actually overstaffed.
- The state does not consider the age of the unit when calculating. A waiver could be sought because of the age of a unit.
- There are no additional funds available for additional maintenance workers.
- A preventative maintenance schedule that is adhered to is needed.
- Any addition to the maintenance staff would require opening the union contract.
- There was a lack of maintenance over the years and now FHA is trying to catch up.
- The place to start to appeal for assistance is with the state housing portfolio specialist.
- A spread sheet with priorities could be presented to representatives in an effort to get help.

Report of the Accounting Department

-Payment of November bills and HAP payments – VOTE

Resolution 2022-044

Steve Patton moved to approve the payment of November bills and HAP payments. Robert Mascali seconded.

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

-Review of August and September financials and public housing aging reports

Chuck Starr reported that there have been lots of maintenance issues and operating receipts are down. Many delinquencies are being resolved. Bobbi Richards added that 3 individuals contribute to the \$62,000 delinquency total. One is hospitalized, one is an abandoned 705, and another involves legal issues. The former tenants have been reached out to and encouraged to work with the FHA.

Public Comments - None offered.

Report of Assistant Director

-Leased housing summary review – November 2021

Bobbi Richards asked that this be tabled.

New Business – Holiday Schedule; closed Friday, 12/24/21 and Friday, December 31, 2021
Bobbi Richards called attention to the holiday schedule.

Report of the Executive Director

-Mandatory Privacy and Confidentiality training with staff – Patricia Grace, Esq
Bobbi Richards reported that this will take place on 1/4/22.

-Project-based contracts expired/RFP process/issuance of vouchers to participants that lease project-based units

Bobbi Richards reported that 6 of the 8 contracts will have expired by the end of January. An RFP is in draft form. Anonymous complaints and allegations have been sent to HUD.

A discussion included the following:

- Bobbi Richards said that if a tenant in a project-based voucher program has a lease expiring at 12 months and they ask for a voucher, and are eligible, they are issued a Section 8 voucher, no questions asked. There have been 3 or 4 tenants who have requested this since 2017 when Bobbi Richards began as the Executive Director. Bobbi Richards was surprised that this was raised as an issue since the regulations are clear.
- Michael Galasso requested background information. He noted that project-based vouchers are valuable to housing programs.
- Bobbi Richards explained that FHA has project-based voucher contracts which have expired. Since their expiration, the housing authority has continued to honor the expired contracts.
- In the interest of complete transparency, the FHA has hired a lawyer to handle the RFP process. A draft has been submitted.
- Michael Galasso asked why the contracts were not renewed.
- Bobbi Richards explained that the contracts expired and after this fact, the expiration was discovered. If they are expired, they need to go out to bid. They may only be renewed if they have not expired. The terms are for 5-year increments e.g. 5, 10, 15, or 20 years.
- Linda Clark brought up the issue of a Section 8 voucher being issued to a tenant if the tenant requests it; there have been just 3 in all these years?
- Bobbi Richards said that if the tenant is in good standing, an administrative review is done and a voucher issued.
- Linda Clark asked if FHA understands the implications for the finances of the FHC of this.
- Linda Clark contended that an extension was given for one of the project-based voucher in question in October of 2020.
- Bobbi Richards reiterated that the FHA continues to pay on the expired contracts. HUD has questioned this.
- The RFP has been sent to HUD several weeks ago for review. It has not yet been approved. The housing authority will continue to pay on the expired contracts.
- Michael Galasso asked who said expired contracts can't be renewed.
- Bobbi Richards said that the federal government said this.
- Michael Galasso asked if this was said in writing.

- Bobbi Richards said that it was.
- Patricia Favulli urged Michael Galasso to read past minutes to better understand the history of this issue and the Board’s review of the matter.
- Michael Galasso was concerned that the project-based voucher served to house people with very low incomes. This is taking away housing from people. Low-income contracts are hard to put together. He did not want to displace any people.
- Robert Mascali said that when this issue came up in the past, the Board at the time questioned and aired the matter thoroughly. The issues were closely and completely investigated.
- Bobbi Richards stated that she hoped the FHC would respond to the RFP. She thought that the framing of the issue as ‘taking away housing from people’ was not helpful. The issue was a contractual one involving federal funds. The FHA continues to pay on the expired contracts.
- Michael Galasso said that he did not want to hurt projects or people. The FHA could always ask for a waiver, for forgiveness.
- Bobbi Richards said that for the contract expiring, and applicable only to this one contract, she would look into this.
- Michael Galasso asked if an FHA attorney was willing to issue an opinion on the draft RFP submitted for review. Does it really need HUD review?
- Bobbi Richards said she was hesitant to proceed without HUD approval since the draft had already been submitted to HUD for approval.
- Michael Galasso suggested that HUD could be told that the RFP would proceed after a date certain if FHA did not hear back from them.
- Linda Clark said that she had three comments: she now surmised that the FHA was not about to issue many vouchers to project-based voucher participants; a 6/29/20 contract had not expired when a meeting about it had occurred and she will provide a copy of a letter to FHA from FHC requesting an extension; FHC had anticipated an RFP within a year of the previous meeting.
- Eric Turkington said: this was a much improved meeting over the one a year ago; things are heading in the right direction; we need to work together.
- Linda Clark thanked the FHA for continuing to pay on the expired contracts.
- Michael Galasso said that we have to protect the housing we have.

-Reorganization of the board

Bobbi Richards reviewed that an overview of positions was done at the last meeting. She said that Michael Galasso and Kathleen Haynes should be made eligible to sign checks.

Robert Mascali suggested that Commissioners vote only for Chair and Vice Chair at this time since Treasurer and Secretary tasks were being otherwise covered.

Resolution 2022-045

Robert Mascali moved that Patricia Favulli be Chair and Steve Patton be Vice Chair. Michael Galasso seconded.

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

Resolution 2022-046

At 6:01 p.m. Michael Galasso moved to adjourn. Steve Patton seconded.
5 Ayes (Favulli, Galasso, Mascali, Patton, Haynes) 0-Nays MOTION CARRIED

Resolution 2022-047

At 6:01 p.m. Michael Galasso moved to go to executive session. Robert Mascali seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Steve Patton-aye

Kathleen Haynes-aye

Robert Mascali-aye

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

Relevant Documents

Revised Vacancy Unit Status as of 12.14.21

PIH Notice – Project-based Vouchers (PBVS) – HUD Updated July 2021

Community Health – Revised Layout Plan for Harborview Apartments Clinic

FHA Infectious Diseases/COVID-19 Policy (4/20/21) & COVID Staff Schedule as submitted to DHCD

Financials for August & September 2021 – Fenton, Ewald & Associates, P.C.

HAP Cash Payment Register – November 2021

Landlord Payment History – November 2021

FHA Public Housing Aging Report – November 2021

DHCD #096075 – J.W. Dubuis, Septic System Replacement – Certificates of Substantial and Final Completion

MCI Contracting, Inc. – Final Application for Payment – Re: Harborview Apartments Piping Project