

FALMOUTH HOUSING AUTHORITY
COMMISSIONERS GENERAL SESSION BOARD MEETING MINUTES
Tuesday, April 19, 2022
115 Scranton Avenue, Falmouth, MA 02540
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The Falmouth Housing Authority conducted a Public Hearing on the State Capital Improvement Plan (CIP) and a General Session Commissioners Board Meeting on Tuesday, April 19, 2022. The public hearing began at 4:30 p.m. immediately followed by the General Session. Both will be 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 sessions by going to:

Link: <https://us02web.zoom.us/j/82266941315>

Meeting ID: 822 6694 1315

Audio Access: 1-646-558-8656

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MEMBERS PRESENT: Patricia Favulli
Michael Galasso (*logged in at 4:35 p.m.*)
Kathleen Haynes
Robert Mascali
Stephen Patton

STAFF PRESENT: Bobbi Richards, Executive Director
Leslie Pearce, Assistant Director
Chuck Starr, Fiscal Director

OTHERS PRESENT: Laura Bancroft, Lawrence O'Brien, Lynne Rhodes, Joanne Treistman, Paula Pace, Brenda Nolan, Teresa Ewald & Stephen Cotes – Fenton, Ewald and Associates, P.C.

OPEN SESSION

Call to Order to enter General Session from public hearing. At 4:35 p.m. Patricia Favulli called the general session to order. Michael Galasso said that he had questions. However, he had arrived late, and the vote had been taken.

Bobbi Richards requested that items be taken out of order to accommodate a presenter.

Resolution 2022-083

Michael Galasso moved to take items out of order. Robert Mascali seconded.
A roll call vote was taken:

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

5 Ayes (Favulli, Galasso, Haynes, Mascali, Patton)

0-Nays

MOTION CARRIED

-241 Scranton Ave – Request for Easement – Lawrence O’Brien

Lawrence O’Brien, property owner adjacent to Salt Sea, presented a proposal requesting an easement from FHA to allow access to his backyard. A discussion included the following:

- Bobbi Richards expressed concerns about the easement because tenants have parked along the alleyway, allowing access for emergency vehicles, for many years. If a tenant is disabled or has mobility issues, it is a long walk to the parking area at the back of the property.
- Lawrence O’Brien said that this is going to be a three-way agreement among himself, the town and FHA. The easement exists now, de facto.
- Patricia Favulli asked about land court recording costs.
- Lawrence O’Brien said that there would be no cost to FHA.
- Patricia Favulli asked if Lawrence O’Brien was asking for the 5’ easement for a fee.
- Lawrence O’Brien said he was offering release of any litigation.
- Patricia Favulli observed that there was currently no litigation. Additionally, the condition of no access to the backyard was self-imposed.
- Bobbi Richards reminded that the board looked at this matter previously. Bobbi Richards read excerpts from the 8/24/21 meeting minutes.
- Robert Mascali asked about the purpose of the requested 5’ easement.
- Lawrence O’Brien said that it was so he could access his backyard. This would not interrupt anyone’s parking.
- Michael Galasso asked if the easement was a condition of the house getting a certificate of completion. The backyard is large. Would Lawrence O’Brien consider an accessory apartment to house a low-income tenant?
- It was thought that the accessory apartment would be problematic.
- Would Lawrence O’Brien pay for insurance for the easement if the easement is granted?
- Lawrence O’Brien said he would indemnify.
- Bobbi Richards said that she had concerns with the easement. The entire side of the Salt Sea drive that abuts Lawrence O’Brien’s property is used by tenants for parking, many of whom would have difficulty walking to a parking lot farther away. This question has been posed previously with no clear answer given: Why not place the access to the backyard on the other side of the Lawrence O’Brien house? This way the driveway for tenants would not be inconvenienced.
- Lawrence O’Brien said that there was no reason for tenants to change the use of their drive.
- Bobbi Richards noted that Lawrence O’Brien had said that he would knock on doors if tenants were blocking his access.
- Lawrence O’Brien said that he speaks now with tenants, and he is a good neighbor. Also, the FHA could put up a fence and so it is better to formalize the usage.

- Bobbi Richards again asked if Lawrence O'Brien could access his backyard by putting in a driveway on the other side of his house.
- Lawrence O'Brien said that there is a dip on that side; it would create more work.
- Patricia Favulli asked if Lawrence O'Brien had proposed easement language. The board would need to send to counsel.
- Robert Mascali said that the board could vote in concept so Lawrence O'Brien could move to the next step.
- Michael Galasso had concerns with giving an easement for no compensation. At least counsel should be paid for by Lawrence O'Brien and a fee payable to Falmouth Affordable Housing. Also, insurance certification covering liability.
- Robert Mascali suggested the committee think about this and revisit at the next meeting.
- Patricia Favulli said that some stipulation should be added; tenants should not have the homeowner of 241 Scranton Ave knocking at any time of day or night.

-Fenton, Ewald & Associates, P.C.

Teresa Ewald reviewed the budget. Her explanations and the board's questions included the following:

- Teresa Ewald said that it has been an unusual year with this 2022 budget, considering DHCD funding, changes at the agency, and staffing. There are now 8 months' worth of actuals to look at. She said she planned to review funding for this year, what is built into the budget based on needs and the board's and managements' concerns. Finally, she would look at the bottom line and what was able to be accomplished with the budget.
- Federal programs were funded at 97% last year and look to have this level funded this year also. This is good.
- Regarding Section 8: Last year funding was at 84% with \$136 per unit; this year funding is at 88% with \$146 per unit. Mainstream and DIAL are also increased at this rate.
- 4% increase was realized in the state 4001. However, reserves are at 20% when they need to be around 35%.
- Understanding these different pieces, the budget was built.
- The Maintenance Supervisor position was funded in the budget by moving it from maintenance to administration. There will now be 5.5 maintenance positions. The Maintenance Supervisor position will be both administrative and working.
- Teresa Ewald explained further how the maintenance supervisor position is funded: The federal and state government have an allowable nonutility spending cap. Using the industry standard, FHA is adequately staffed in the maintenance department. There is no funding for more maintenance staff. State reserves are at 20% when they should be at 35%. There is a balancing act between funding for operations and capital improvements.
- Michael Galasso asked what FHA could do to add maintenance positions. He asked if calculations had been done of lost income due to slow turn overs.
- Teresa Ewald said that because of the way the funding works, when we make up income, we just lose subsidy; more rental income means less need for subsidy.
- When hiring out, such as for maintenance jobs, consideration is given to all costs. For regular staff, of \$1.00 spent, \$.50 goes to benefits. Cost for a maintenance person per year is about \$96,000.

- Michael Galasso asked about the reserves. Teresa Ewald clarified that there was \$58,000 in the state, \$70,000 in the federal and \$58,000 in Section 8. She advised that this cannot be used towards maintenance of the buildings. Also, no waivers are permitted.
- Michael Galasso asked if this was “money in the bank”. Teresa Ewald said yes, and that these monies are looked at carefully and since 2004, may not be use for maintenance of buildings.
- Bobbi Richards clarified that it appears that funding will be available for a second housing specialist position. This will provide some relief on the administrative end which is needed with the increase in the leased housing program.

-FY22 Budget by Fenton, Ewald & Associates, P.C. - VOTE

Resolution 2022-084

Steve Patton moved to approve the 4001 budget. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso -nay

Kathleen Haynes-aye

Robert Mascali-aye

Stephen Patton-aye

4 Ayes (Favulli, Haynes, Mascali, Patton) 1-Nays (Galasso)

MOTION CARRIED

Resolution 2022-085

Steve Patton moved to approve the 689 budget. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso -nay

Kathleen Haynes-aye

Robert Mascali-aye

Stephen Patton-aye

4 Ayes (Favulli, Haynes, Mascali, Patton) 1-Nays (Galasso)

MOTION CARRIED

Resolution 2022-086

Steve Patton moved to approve the MRVP budget. Kathleen Haynes seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso -nay

Kathleen Haynes-aye

Robert Mascali-aye

Stephen Patton-aye

4 Ayes (Favulli, Haynes, Mascali, Patton) 1-Nays (Galasso)

MOTION CARRIED

Resolution 2022-087

Kathleen Haynes moved to approve the overall budget. Steve Patton seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso -nay

Kathleen Haynes-aye
Robert Mascali-aye
Stephen Patton-aye

4 Ayes (Favulli, Haynes, Mascali, Patton) 1-Nays (Galasso)

MOTION CARRIED

Review of January and February 2022 financials

Michael Galasso began asking questions about the January and February financials and was advised that training requested of commissioners would answer most of the questions he was posing. He was urged to avail himself of the training opportunities.

Approval of Minutes

-General Session Minutes of 2/15/22 – VOTE

Resolution 2022-088

Steve Patton moved to approve as written. Kathleen Haynes seconded.

A roll call vote was taken:

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

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

MOTION CARRIED

-General Session Minutes of 3/22/22 – VOTE

Note: Vote was for Change Order #3 for \$776.98 Vent piping to code; amend to Change order #4. No change to value.

Resolution 2022-089

Steve Patton moved to approve as corrected by the Chair. Kathleen Haynes seconded.

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

4 Ayes (Favulli, Galasso, Haynes, Mascali, Patton) 0-Nays

MOTION CARRIED

Public Comments

-Bobbi Richards had public comment directed to the Falmouth Enterprise. She noted it is dangerous when people label, especially minorities, in the media. Carrie Gentile referred to Bobbi Richards as ‘visibly annoyed’. Language such as this supports or creates a certain regard. The pen is very powerful and Carrie Gentile is in a position to use words to change how public opinion is formed, influence stereotypes and define group identities. A review of Carrie Gentile’s reporting indicates the reporter does not tend to use subjective language to describe emotions of an individual. Carrie Gentile’s of the phrase “visibly annoyed,” could have been described by another person as “passionate and concerned.” Objective language is not used generally when she writes about Bobbi Richards. Bobbi Richards requested a published apology from the Enterprise for using such subjectively charged language and for them to reevaluate their use of subjective language when reporting. If Carrie Gentile has a conflict of interest or is

otherwise unable to be objective, another reporter should be assigned to cover the housing authority – one that understands ethics in journalism; there is guidance on this topic that discusses the power of language when reporting. The public should be able to form their own opinions and not be persuaded by the subjective opinions of any reporter.

Noelle Annomen announced herself; said that she started work with the Enterprise on Monday and Bobbi Richards’s comments were noted.

Commissioners Retreat – Open to the Public - Date/Time/Location/Other
Email details to Bobbi Richards.

Invitation to the Head of DHCD to attend Monthly Meeting
Elected officials should be added to the list.

Feedback regarding Tenant Resident Commissioner Workshop
Kathleen Haynes said that many of the tenant commissioners said that their Boards had not been welcoming to them. She wanted to state that the FHA Board had been welcoming to her and she wanted this recognized.

Report of Maintenance Department
-Change Order 2– Zander – DHCD Project No. 096071 - \$1,702.30 – Sill repair front steps
– 466 Brick Kiln Rd

Resolution 2022-090
Michael Galasso moved to approve. Robert Mascali seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Robert Mascali-aye

Steve Patton-aye

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

MOTION CARRIED

-Change Order 3 – Zander– DHCD Project No. 096071- \$11,312.46– Various as described
electrical upgrades to code – 466 Brick Kiln & 22 Oak

Resolution 2022-091

Michael Galasso moved to approve. Steve Patton seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Robert Mascali-aye

Steve Patton-aye

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

MOTION CARRIED

-6 kitchen units renovations at Harborview – TopNeck Designs - \$38,270.00 – VOTE

Resolution 2022-092

Michael Galasso moved to approve. Robert Mascali seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Robert Mascali-aye

Steve Patton-aye

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

MOTION CARRIED

Report of the Accounting Department

a Payment of April bills and HAP payments – VOTE

Resolution 2022-093

Steve Patton moved to approve. Michael Galasso seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Robert Mascali-aye

Steve Patton-aye

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

MOTION CARRIED

-Position of Maintenance Superintendent update

Bobbi Richards reported that 41 applications were received. 13 applicants will be interviewed this week.

-Review current public housing aging reports: Tabled due to lack of time.

-Report of the Assistant Director – Leased housing reports for March & April, 2022: Tabled due to lack of time.

Report of the Executive Director

-Distribution of meeting materials in advance of monthly meetings: Bobbi Richards inquired about the meeting materials accessibility and Robert Mascali said that the distribution was much improved.

-Review of waiting lists (DIAL, Section 8/HCV, Project-based, SRO, Federal Public Housing): Tabled due to lack of time.

-Letter to Town Manager and Chairman of Board requesting \$250k to assess the needs of the portfolio to bring it to the condition needed to serve the low- income tenants its serves: Peter Johnson-Staub has confirmed that the request is appropriate and Bobbi Richards will draft the request.

-Request for proposals for Project-based program: It was clarified that the RFP is only for new programs.

Next meeting agenda items – due by Tuesday, May 10, 2022

-Monitoring Contracts

Note: Per Chair request, please submit all agenda items to the Chair, boc1@falmouthhousing.org) to allow for proper planning for future meetings.

Resolution 2022-094

Robert Mascali moved to adjourn. Steve Patton seconded.

A roll call vote was taken:

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

Robert Mascali-aye

Steve Patton-aye

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

MOTION CARRIED

Relevant Documents

State Capital Improvement Plan (CIP)

Lawrence O'Brien 241 Scranton documents, pictures of Salt Sea Lane

4001, 689, MRVP, and overall budget & certifications forms, January & February financials.

Landlord payments and public housing aging

General Session Minutes of 2/15/22 and 3/2222

Bobbi Richards public comment regarding the Falmouth Enterprise and journalism ethics

Vacancy report as of 4/19/22

Foley and Foley – discussion regarding executive session minutes

6 kitchen units – Harborview bid (Topneck) and advertisements ran

Leased Housing Report for April 2022

PHN 2022-03 Fair Housing Marketing Plan Template

Budget Certifications including 400-1, 689, MRVP, overall, Exec. Director and Top Five

Zander Change Orders 2 & 3

The Falmouth Housing Authority is an equal opportunity employer and an equal housing agency. If you require a reasonable accommodation to attend any board meeting, please contact the housing authority at 508-548-1977 so that we may discuss with you how best to meet your needs.