

FALMOUTH HOUSING AUTHORITY COMMISSIONER BOARD MEETING

MINUTES OF GENERAL SESSION OF MEETING 9/15/20 at 4:30 p.m.

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The Falmouth Housing Authority will conduct a General Session Commissioners Board Meeting on Tuesday, September 15, 2020 at 4:30 p.m. 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 meeting by going to: [https://us02web.zoom.us/j/81476994480?pwd=NWF3djQvdkp6NFRTeVFuUGYvTlF0QT09](https://us02web.zoom.us/j/81476994480?pwd=NWF3djQvdkp6NFRTeVFuUGYvTlF0QT09;); Meeting ID: 814 7699 4480; Passcode: 847825 or dial 1-646-558-8656, Meeting ID: 814 7699 4480; Passcode: 847825 and follow the instructions to join virtual meeting.

MEMBERS PRESENT: Patricia Favulli  
Robert Mascali  
Stephen Patton  
Linda Howard

MEMBERS ABSENT: Sari Budrow

STAFF PRESENT: Bobbi Richards, Executive Director  
Leslie Pearce, Assistant Director  
Kim Conn, Finance Director

OTHERS: Carrie Gentile  
Laura Bancroft  
John Alferes

At 4:34 p.m. Ms. Favulli called the meeting to order. The meeting was held via ZOOM.com and was recorded.

Approval of Minutes

Approval (and release) of Minutes of 9/17/19 – Executive Session - VOTE

Resolution 2020-100

Mr. Patton moved to approve and to release the minutes of the Executive Session of 9/17/19. Ms. Howard seconded.

3-Ayes (Favulli, Howard, Patton) 1-Abstain (Mascali) 0-Nays MOTION CARRIED

Approval of Minutes of 06/29/20 – Special Session – VOTE

Resolution 2020-101

Ms. Howard moved to approve the minutes of the Special Session of 6/29/20. Mr. Patton seconded.

4-Ayes (Favulli, Howard, Patton, Mascali) 0-Nays MOTION CARRIED

Approval of Minutes of 8/21/20 – General Session - VOTE  
Resolution 2020-102

Ms. Howard moved to approve the minutes of the General Session of 8/21/20. Mr. Patton seconded.

4-Ayes (Favulli, Howard, Patton, Mascali) 0-Nays

MOTION CARRIED

New Business

-Public and Tenant Representative Comments: None

-Mr. John Alferes of Carpet Barn (Falmouth) shared that he filed a bid protest against the housing authority and requested that the matter be added to the next month's agenda.

Report of the Maintenance Department

-Approval from DHCD for Bid Project: Falmouth 096065 – 3-705 units – new septics

Ms. Richards shared that the project had been approved by DHCD for new septics to be installed at three family (705) units. The project has been assigned a design team through DHCD and the housing authority will be informed of its progress.

-Piping Projects

Ms. Richards reported that there is now a scope of the project identified for Harborview. Bidding will be done electronically and bids are due by October 15, 2020. Advertisements were run in the Central Register, Falmouth Enterprise, Cape Cod Times and Bay State Banner. Base estimate is \$953,000; the housing authority anticipates additional costs associated with temporary relocation for affected tenants when the piping in their units are repaired. It is expected that between 3-6 units are to be done at a time, taking 3-5 days to finish. The contractors will inform the housing authority of the schedule once the project is awarded. The Service Coordinator is working with tenants to determine their temporary housing needs (such as hotel or reside with friends/family).

The housing authority is hiring an architect to draft the scope of work for the Tatakset piping project. The Tatakset walkways have been repaired with a temporary product to address the trip hazards caused by the lifting of the rubberized product. The rubberized product installed in the 80s on the walkways has reportedly been repaired several times over the years and has eventually bubbled and lifted from the surface. Approximately \$600,000 has been designated for the walkway replacement in the capital plan and it is hoped this project can be done in conjunction with the pipe replacement. The codes are being examined to make sure there are no issues with this recommended approach.

Tenants in each building have been offered unit inspections if they suspect mold or repeated mildew conditions in their units. A third party is sent to inspect and treat the unit, if necessary, when an inspection is requested.

-Window/Air Circulation at Harborview (Lobby, Hallways, In Unit)

Ms. Richards shared that the housing authority is in process to replace the windows in the Harborview common area because they do not open to allow cross ventilation. The windows are relatively new; they were replaced as part of a major window replacement project prior to Ms. Richards' hire. Improving ventilation, in general, for the Harborview building is being researched through an architect, however the capital plan does allow for window replacements as a project in the current five-year period. This information has been shared with HUD in response to a tenant complaint regarding the design of the windows as non-opening. The windows have been scheduled to be replaced, as an emergency, through Falmouth Glass, and COVID-19 funding will be used to cover the cost of the replacement.

-Harborview Parking – Loading Zone

The Harborview parking lot project has been completed however it did not include loading zone area in the original design. The housing authority has asked the architect to review the site to determine if there is a reasonable loading zone option available. The architect has proposed options that are cost effective. The capital plan will need to be reviewed, based on the funding needs for the piping project, to determine when/if the loading zone project can be addressed in this year.

-Rose Morin/Choate/Salt Sea Address & Signage update

The signs are now complete and ready for installation by the maintenance department. The Service Coordinator continues to work with tenants to help with the update to their addresses.

Report of the Fiscal Officer

-Payment of bills and approval of HAP payments – VOTE

Resolution 2020-103

Mr. Patton moved to approve as presented. Ms. Howard seconded.

4-Ayes (Favulli, Howard, Mascali, Patton) 0-Nays

MOTION CARRIED

-Update regarding conflict of interest

Ms. Richards noted that Ms. Favulli had been recusing herself from votes on HAP payments due to a conflict of interest as some HAP payments were issued to a member of her family. The conflict of interest has ended.

-Public Housing Account Aging Report (Rents Due)

Ms. Conn noted that rents have been difficult to collect. The Service Coordinator has been working with tenants so that they are not in arrears when the moratorium ends. If rents are owed, the housing authority will mediate with tenants through the court process, if necessary.

## -FY2020 State Annual Review and Annual Year-End Certifications

Ms. Conn reported that the federal statements are not yet done since guidance has not been issued. She reviewed the state statements and said that Commissioners should sign off on the certification by the middle of next week since the filings are due to DHCD by 9/30/20.

### Report of the Assistant Director

Monthly leased housing summary report: Ms. Pearce reviewed. Ms. Richards highlighted that there are now 5 referrals to the Foster Youth Program. The Foster Youth Program is a sunset program – this means that the vouchers are directly issued to the youth, waiting lists are not required, and the vouchers are good for a specific period of time. For this program, the vouchers are good for three years only. The housing authority will encourage the youth to apply to other program waiting lists when issued the vouchers to increase the possibility of being issued funding through another subsidy program by or before the sunset of the FYI program.

### Report of the Executive Director

- Updates:

-Certificates of Open Meeting Law Materials: All required certifications from the Commissioners have been received.

-COVID update – reopening plan: Waiting for word from the state on reopening. Ms. Richards noted that the housing authority has been successful working with tenants by phone, mail, email and drop boxes. Most administrative staff continue to work a hybrid schedule of staggered shirts and teleworking; some have asked to increase their in-office hours and, based on office layout and ability to maintain distances of 6ft or more and occupancy limitations, they have been approved. A date for full return to the office and reopening to the community has not yet been determined.

A positive case was reported from Harborview today. The disinfecting company has been asked to increase disinfecting schedule during the 14-day quarantine period. The Board of Health is not able to release information about the case, such as name and apartment number. The housing authority is aware that the case is linked to the Harborview building only. Staff continues to disinfect the buildings daily, as recommended by DHCD.

-Retro payments to Staff: A payout for 2 days of personal time has been paid to staff and management, delayed by the long negotiating period for the contract. The union contract does not allow personal time to be carried over and, because the negotiation period extend beyond the end of 2019, the hours were paid out at the direction of the Executive Director. The management staff has followed the language of the union contract as it applied to benefit hours, as approved per the minutes of 7/3/16.

- Annual Meeting – Bayberry House

Bayberry House is pleased with maintenance attention over the past 12-18 months. A rent increase of 1.6% has been implemented, retroactive to July 2020. There have been no smoking complaints received.

- Anonymous Letter

Ms. Richards noted that the letter alleging vindictive treatment of the tenants by the Executive Director was sent to the Governor who forwarded the anonymous letter to HUD. HUD requested the housing authority's eviction rate for public housing - which was provided to them.

-Evictions since 9/1/2017:

Ms. Richards noted that the housing authority always seeks to work with tenants when an eviction is a possibility. Various options are made available to the tenants, such as working with the Service Coordinator to find available resources to assist them in remaining housed and work on the lease violation issues, tenants are offered fresh starts at another property, substance abuse treatments are recommended if the tenant presents this as an issue and barrier to housing compliance. Other times referrals to higher levels of care facilities become necessary.

The notice to evict, which is a standard form, contains strong language. While strong, the language is common, is similarly used by other landlords, and has been approved by the state and federal housing authority attorneys.

The review of the public housing portfolio revealed that there have been two evictions since Ms. Richards began as Executive Director in September 2017. One tenant remains housed - having not vacated their unit as agreed upon in a court document by 3/31/20, and is now under an eviction moratorium issued by the governor on 4/2/20. The other tenant was evicted for selling drugs from their unit and refusing to comply with the lease as it related to criminal activity.

The anonymous letter commented on the condition of the federal housing portfolio – Tatatket and Harborview Apartments. The frustration of tenants is understandable given the declining condition of the buildings. When the maintenance superintendent left over a year ago, the housing authority discovered the extent of the pipe leak issue at both properties and began to employ the services of third parties to address the leaks. A review of the bills and occurrence a few months later propelled the Executive Director to seek further assistance. The capital plan was reopened to include the piping issue as a capital plan project; an architect was hired to review the buildings and assist the housing authority with the formulation of a plan to remedy the pipe leaks. Later, HUD approved the changes to the capital plan which included the additional of the piping repair issue. The housing authority used and continues to use a third party to review areas of concern when a leak is discovered and/or a tenant informs the housing authority of a concern in their unit. Ms. Richards has collected months of documentation to share with the Board of Health at its next meeting to demonstrate the housing authority's actions and concerns regarding the issues at the federal buildings.

- Inspections (Reasonable Accommodations, PHI)

Ms. Richards explained that inspections are still required, although they were initially delayed due to the onset of the COVID-19 pandemic. Inspections have been scheduled for the upcoming months and tenants are afforded an opportunity to reschedule their inspection if they have concerns regarding the inspector entering the units. The inspection company has issued a COVID-19 protocol which is shared with the tenants to inform them of the process that inspectors will employ under COVID-19 during inspections (such as: tenants are requested to leave the unit and an inspector with PPE and a maintenance staff member enter the unit to inspect).

The housing authority was informed by a housing choice voucher participant that there are alternatives to in-person inspections. These remote inspections are virtual in nature and may or may not meet housing quality standard guidelines. Whether or not this is a solution, under a reasonable accommodation request, has been shared with both state and federal housing entities. The housing authority has not yet received notice that these methods have been approved.

- Reorganization of the Board of Commissioners - VOTE

Resolution 2020-104

Mr. Patton moved to table the reorganization of the Board of Commissioners until the next meeting. Mr. Mascali seconded.

4-Ayes (Favulli, Howard, Mascali, Patton) 0-Nays

MOTION CARRIED

Resolution 2020-105

At 5:37 p.m. Mr. Patton moved to adjourn. Mr. Mascali seconded.

4-Ayes (Patton, Howard, Mascali, Favulli) 0-Nays

MOTION CARRIED

List of Documents Used:

FHA Newsletter, September 2020

Email dated 7/28/20 from Executive Director “Retroactive Payments for 2019”

Letter to Board of Commissioners from Robert Lovelace, dated 9/13/20

Winslow Architects, letter dated 9/2/20 “Tatakot Pipe Replacement – Scope Summary and Estimated Costs

Harborview Piping Project – Advertisement- Invitation to Bid

FHA’s posted notice regarding positive COVID 19 case at Harborview

MacRitchie Engineering, 5/7/20 – Harborview Apartments – Domestic Water Pipe Failure

FHA’s Capital Fund Program – Five Year Action Plan – Approved by HUD 4/7/20

Documentation provided to Board of Health: Topneck Design – Proposal to provide a temporary repair to Tatakot Walkway 9/3/20; Board of Health meeting agenda 7/27/20,

Remediation/Inspection reports from Serv Pro (8/29/20, 9/10/20) Chain of Custody Report from Universal Environmental Consultants 8/26/20

Eviction Summary report for public housing

Fiscal Reports provided by Fenton, Ewald

Redacted Public Housing Aging Report – through 9/11/20

HAP Accounting Cash Payment/Receipt Register – 8/2020

HAP Accounting Cash Payment/Receipt Register – 7/2020

Monthly Leased Housing Summary Report – 9/2020

Minutes of the Special Session – 6/29/20

Minutes of the Executive Session – 9/17/19  
Minutes of the General Session – 8/21/20