

FALMOUTH HOUSING AUTHORITY MINUTES

Commissioners Board Annual Meeting

July 10, 2018 at 1:00 pm

Harborview Apartments – Community Room, 115 Scranton Avenue, Falmouth, MA 02540

115 Scranton Avenue, Falmouth, MA 02540

Tel: (508) 548-1977 Fax: (508) 457-7573

TDD (800) 545-1833, Ext. 185

www.falmouthhousing.org

The Falmouth Housing Authority Board of Commissioners has the right by vote to take items out of order.

MEMBERS PRESENT: Patricia Favulli, Chairperson
Sari Budrow (*left meeting at 2:28 p.m.*)
Holly Wilson
Ernest Mayberry
Patti Haney (*left meeting at 2:21 p.m.*)

STAFF PRESENT: Bobbi Richards, Executive Director
Leslie Pearce, Assistant Executive Director
Kimberly Conn, Finance Director / Public Housing Manager
Bob Arsenaault, Director of Maintenance
Marie Palmer, Jenn Connors, Trisha Herlihy, Debra King,
Sheila Barrows, Catriona Purdy, Michael O'Donnell, Jason
Norton, Donna Blanchette, John Damiano, Joe Collins

OTHERS: Teresa Windrush, Deb Labadini, Joan Wales, Linda Howard, Paula
Roberts, Margaret Romiza, Philip Mendez, Paul Grunden, David
Marks
Maureen McIver, (Independent Contractor)-Recording Secretary

The General Session of the Board of Commissioners Meeting of the Falmouth Housing Authority was convened at 1:07 p.m. Ms. Favulli called the meeting to order.

Resolution 2019-001

Ms. Haney moved to take the meeting out of order for Ms. Grace's discussion to be presented.
Mr. Mayberry seconded.

5-Ayes (Budrow, Favulli, Haney, Mayberry, Wilson) 0-Nays MOTION CARRIED

Presentation by Patricia Grace, Esq

Grievance Process for Employees:

Ms. Grace noted that the presentation will deal with state properties only. Ms. Grace reviewed grievance regulations involving tenants, employees and program participants. The Board is not usually involved with evictions; however, parties can appeal decisions to the Board regarding rent calculations and non-eviction issues. The Board needs to remain neutral to participate in

appeals. For discipline of those with union contracts there is protocol: first an oral reprimand is given by an immediate supervisor with a memo placed in the employee's file, next is a written reprimand, thirdly, a final warning with possible suspension of a day. Civil service status is achieved after 5 years of employment. The Commissioners need to stay neutral or recuse themselves since they may hear grievances on these matters.

Role of the Board of Commissioners:

The job of the Commissioners is to set policy for the Falmouth Housing Authority. Their job is not to manage the day to day operations of the housing authority. The authority of the board is by majority vote, not individual action. Policies should be consistent and fair. If policies are fair and legal, time can be saved and litigation can be avoided. It is inappropriate for the Commissioners to engage in the day to day activities of the FHA.

Regarding privacy and confidentiality:

The FHA holds much information on tenants and employees. This information needs to be protected. Access to this information is strictly limited by regulation and employees should be trained about how to use this information. The state Ethics office employs a lawyer of the day every afternoon should ethics questions arise.

The DHCD has liability insurance up to \$100,000. Those covered are protected within the scope of their duties but not if they veer out of that scope. Commissioners must honor their fiduciary duty to the FHA.

Open Meeting Law:

The AG has defined deliberation as communication of any medium including by emails. Emailing an agenda or schedule is not considered a deliberation so long as you leave your opinion out of the communication. Board members must be concerned with open meeting laws.

The housing authority staff (Palmer, Connors, Herlihy, King, Barrows, Purdy, O'Donnell, Norton, Blanchette, Damiano and Collins) left the meeting at the conclusion of Ms. Grace's presentation (1:33 p.m.).

Executive Session – Purchase of property on Esker and Alton

M.G.L. Ch. 30A, Section 21(6) – to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Resolution 2019-002

Ms. Favulli recused herself. Ms. Budrow called for a roll call vote to go into Executive Session at 1:35 p.m.

5-Ayes (Budrow, Haney, Mayberry, Wilson)

0-Nays

MOTION CARRIED

The general session reconvened at 1:59 p.m.

Approval of Minutes

General Session -March 27, 2018

Resolution 2019-006

Ms. Budrow moved to accept. Mr. Mayberry seconded.

4-Ayes (Budrow, Favulli, Haney, Mayberry) 1- Abstain (Wilson) MOTION CARRIED

General Session – June 12, 2018

Resolution 2019-007

Mr. Mayberry moved to accept. Ms. Haney seconded.

4-Ayes (Budrow, Haney, Mayberry, Wilson) 1-Abstain (Favulli) MOTION CARRIED

Release of Executive Session – December 19, 2017: Tabled to August 2018 meeting

Announcements

Ms. Richards announced that there will be a Commissioner training by MassNahro, hosted by the FHA at the Harborview Apartments. She will email information to Board members.

Public and Tenant Representative Comments

Joan Wales asked who the Grievance Officer is. Ms. Pearce confirmed that it is Peter Clark.

Ms. Richards added that Ms. Cindi Maule also serves as a hearing officer for the HCV program.

Reorganization of the Board

2019-008

Ms. Wilson moved to discuss the reorganization of the Board at the next meeting. Ms. Haney seconded.

5-Ayes (Budrow, Favulli, Haney, Mayberry, Wilson) 0-Nays MOTION CARRIED

Access to Board Meetings

Ms. Richards reported that the FHA received a complaint that someone was not able to access the last meeting held at Tataketa because the doors were locked and there was no signage directing the public to the meeting. Signs were placed for the meeting held this day and the Authority will ensure that the doors are unlocked for public access to the meeting which will be held at Tataketa in August. Signage will be placed at both locations (Harborview and Tataketa) the morning of each Board meeting. Ms. Richards stated that a member of the public asked to be notified by email when the agenda is posted. Ms. Richards shared that to remember to email one member of the public each month may lead to an administrative burden and/or an unintentional oversight. Ms. Richards also shared that the Town provides a notification service to the public that is designed to share information regarding posted notices at the Town – the Authority posts its' Agenda at the Town at least 48 hours prior to the meeting date. Ms. Richards will contact the member of the public who requested notification service and ask them if they would be willing to sign up for the Town notification to ensure that there is no disruption in notification services (i.e. due to vacations, oversight, etc.) from the Authority.

Report of the Maintenance Director

- Federal Properties: Harborview, Tataketa, Rose Morin:
Harborview window work is under review. Decks at Tataketa and roofs at Rose Morin are also under review.
- State Properties: Choate, Salt Sea, 705's Scattered Site Houses, 689-Bayberry: Installers did a good job on the 2 septic systems that were just replaced. Inspections are ongoing on the 705s.

- The maintenance staff is short-handed; an advertisement has been placed with multiple newspapers announcing the Maintenance/Labor Tech position.
- There were 256 work orders this month.
- Two federal turnovers were at 15 and 17 days. One state turnover was at 13 days.
- Salt Sea – Sewer connection to Town of Falmouth Little Pond: Wastewater Superintendent Amy Lowell stated that Salt Sea expansion is not eligible for connection to town sewer. Ms. Richards will review the site plans and receive recommendations regarding whether or not additional units may be added on the site without connecting to Town sewer and its effect on the current septic system.

Report of the Financial Manager

- MMDT – Massachusetts Municipal Depository Trust - VOTE
Ms. Conn explained that the FHA has had this account for many years and now needs signatures to access funds.

Resolution 2019-009

Ms. Haney moved to authorize Ms. Richards, Ms. Pearce and Ms. Conn as signatories to transfer funds and the Board of Commissioners as signatories as the holder of the funds. Ms. Budrow seconded.

5-Ayes (Budrow, Favulli, Haney, Mayberry, Wilson) 0-Nays MOTION CARRIED

- Payment of bills and approval of HAP payments - VOTE

Resolution 2019-010

Ms. Haney moved to authorize payment of bills and HAP payments. Mr. Mayberry seconded.

5-Ayes (Budrow, Favulli, Haney, Mayberry, Wilson) 0-Nays MOTION CARRIED

- Financial statements month-end review through May 31, 2018
- Review of management fees due from FHC entities – Ms. Conn will present this information at the next meeting.

Ms. Richards asked whether or not the check signers needed additional information, beyond the approved invoices, at the time of check signing. Ms. Favulli stated that the invoices were clear and no further information was required to be provided at this time.

Report of the Assistant Director

- Waiting list updates: Eligibility has been completed.
- Section 8 tracking report: Interviews are scheduled.

Report of the Executive Director

- State waiting list (CHAMP): This is a centralized list.
- No Smoking Policy for FHA properties: Ms. Richards provided a copy of the current No Smoking Lease Addendum and asked the Board to review it for discussion at the August meeting. Our Bayberry tenant, Vinfen, has asked to be exempted from the no smoking requirement for its sub-tenants. Also, in past years the No Smoking Lease Addendum was not provided to 705 tenants. The lease addendum, however, states that it applies to all FHA properties.
- Report of Correspondence, Activities and Training Opportunities: Generators are being sought for Salt Sea and Choate. A 3% loan has been offered by EDIC. Ms. Richards is

looking at how to repay a loan and will reach out for clarification to DHCD. Proposals are being sought for security patrols at Rose Morin as there has been an increase in drug activity and police visits there.

A grant application for the Mainstream Voucher program has been submitted. The value of this grant is approximately 1.4 million per year based on FHA's request of 85 vouchers and it's aim is to serve the young disabled (under 62 years of age) homeless individuals. One person has requested a transfer citing racial tensions at a federal property; racial epithets against the Executive Director are being used in the common areas of another federal housing building. Ms. Richards is concerned regarding fair housing issues that may relate to these circumstances and will reach out to HUD for guidance on how to best resolve address the issues portfolio-wide. Ms. Richards has addressed shared the issue with the tenants that participate in the on-going tenant handbook meetings so that they are aware of the concerns and behavior. Ms. Richards is researching past and future marketing efforts (waiting list, community presentations and other outreach activities) to ensure that the composition of FHA properties accurately reflect the diversity of the Town of Falmouth. Both HUD and MCAD may offer fair housing training, which will be open to all tenants and staff.

Future agenda items – Due to FHA by August 7, 2018

Next scheduled meetings (pending discussion regarding other proposed 2018 dates) – 1:00 pm on Tuesday, August 14, 2018; Tatakett Community Room*

Resolution 2019-011

At 2:21 p.m. Ms. Wilson moved to adjourn. Mr. Mayberry seconded.

3-Ayes (Favulli, Mayberry, Wilson)

0-Nays

MOTION CARRIED

Documents used or distributed to the Board in preparation for this meeting:

Executive Director's Report: Correspondence and Activities through July 9, 2010

Overview of HUD's Part 58 Environmental Review Procedures 1-Day Training Workshop

Notice of Review and Comment Period for Falmouth's Housing Authority's Agency Plans and Public Hearing Regarding Said Plans, published in the Falmouth Enterprise on June 22, 2018

Approval of Annual Contributions Contract Fiscal Year 2018 Notice from DHCD (5/31/18)

Sunnarborg, Karen - Housing and Planning Consultant E-mail (6/29/18)

Falmouth Fire and Rescue Department Letter regarding Identified Egresses at Rose Morin (6/29/18)

Lowell, Amy – Wastewater Superintendent E-mail regarding Salt Sea and Town Sewer Capacity (7/3/18)

No Smoking Lease Addendum (effective 4/1/13)

White, Susan – Director of Affordable Housing/Vinfen E-mail regarding No Smoking Lease Addendum (6/12/18)

Sample Notice to Tenants regarding Smoking (7/9/18) provided to Susan White for Consideration of Further Use with her Tenants

DCHD Champ Training Registration Form

Revised Board of Commissioners Listing (as posted at the housing authority)

Falmouth Road Race – Letter (7/5/18) regarding decline of donation for generator project

FHA Draft General Session Minutes of 6/12/18 and 3/27/18

FHA Draft Executive Session Report of December 19, 2017

FHA Report of Management Fees billed to FHC (6/7/18)

FHA Vacancy Turn over Report (July 2017 – June 2018)

FHA Section 8 Utilization Report (January 2018 – June 2018)

FHA HAP Accounting Cash Payment/Receipt Register – All Programs (June 2018)

FHA Work Order Report (June 1-30, 2018)

FHA Revolving Account – Cape Five #3133 (May 2018)

Fenton, Ewald & Associates Financial Statements as of May 31, 2018

*The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. To request assistance, please contact the Executive Director, Bobbi Richards, at least two business days before the meeting, by email: brichards@falmouthhousing.org or phone: 508-548-1977.
For TTY/TDD, dial 800-545-1833, Ext. 185

FALMOUTH HOUSING AUTHORITY
PUBLIC HEARING REGARDING 1 YEAR AND 5 YEAR PLANS
August 14, 2018 at 1:00 pm
Tatakot Apartments – Community Room
138 Teaticket Highway, Falmouth, MA 02536

OPEN SESSION

MEMBERS PRESENT: Patricia Favulli, Chairperson
Sari Budrow
Ernest Mayberry

STAFF PRESENT: Bobbi Richards, Executive Director
Leslie Pearce, Assistant Executive Director
Nicholas Devonis
Bob Arsenault, Director of Maintenance

OTHERS: Maureen McIver, (Independent Contractor)-Recording Secretary

The Public Hearing regarding the Agency 1 year and 5-year plan was convened at 1:05 by Ms. Favulli.

Public Hearing Regarding Agency Plans (1-year, 5-year):

Ms. Richards explained that HUD has allocated an additional \$164,000 so the 1 year and 5-year plans needed to be revised. She reviewed the draft revision in detail.

Comments received June 22, 2018 to August 6, 2018:

Input has been solicited over the past several months from tenants and the community in general; no additional public comment was received.

Other comments: No public comment was offered at the meeting.

Agency one-year and five-year plans – VOTE

Notice of Review and Comment Period for Falmouth Housing Authority's Agency Plans and Public Hearing Regarding Said Plans was published in the Falmouth Enterprise newspaper on June 22, 2018 and was listed on the Falmouth Housing Authority's website (www.falmouthhousing.org)

Resolution 2019-012

Ms. Budrow moved to approve. Mr. Mayberry seconded.

3-Ayes (Budrow, Favulli, Mayberry) 0-Nays MOTION CARRIED

Resolution 2019-013

Ms. Budrow moved to close the session and move to the General Session of the Commissioners Meeting. Mr. Mayberry seconded.

3-Ayes (Budrow, Favulli, Mayberry) 0-Nays MOTION CARRIED

The Falmouth Housing Authority Board of Commissioners has the right by vote to take items out of order.

FALMOUTH HOUSING AUTHORITY
COMMISSIONERS BOARD MEETING
September 11, 2018 at 1:00 pm
Harborview Apartments – Community Room
115 Scranton Avenue, Falmouth, MA 02540

OPEN SESSION

The Falmouth Housing Authority Board of Commissioners has the right by vote to take items out of order.

MEMBERS PRESENT: Patricia Favulli, Chairperson
Sari Budrow
Ernest Mayberry
Holly Wilson
Patty Haney

STAFF PRESENT: Bobbi Richards, Executive Director
Bob Arsenault, Director of Maintenance

OTHERS:
Doug Cabral
Linda Howard
Paul Grunden
Maureen McIver, (Independent Contractor)-Recording Secretary

The General Session of the Board of Commissioners Meeting of the Falmouth Housing was convened at 1:01 p.m. Ms. Favulli called the meeting to order.

Resolution 2019-034

Ms. Haney moved to go to executive session. Ms. Budrow seconded.

A roll call vote was taken:

Ms. Haney-Aye

Ms. Budrow-Aye

Ms. Wilson-Aye

Ms. Favulli-Aye

Mr. Mayberry-Nay

MOTION CARRIED

a.

Review real-estate issue regarding Lot 4, Frances Avenue
M.G.L. Ch. 30A, Section 21(6) – to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

b.

M.G.L. Ch. 30A, Section 21(6) –

Review tenant matter related to Harborview Apartments and potential litigation and/or matters related to a member of the Board of Commissioners to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complains or charges brought against, a public officer, employee, staff member of individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties.

The General Session of the Board of Commissioners Meeting of the Falmouth Housing was reconvened at 2:00 p.m. Ms. Favulli called the meeting to order.

Resolution 2019-037

Ms. Haney moved to go to take the report of the executive director out of order. Ms. Wilson seconded.

5-Ayes (Budrow, Favulli, Mayberry, Wilson, Haney) 0-Nays MOTION CARRIED

Report of the Executive Director

Ms. Richards reported that 2 HUD grants were received, one for \$88,638 and another for \$210,000.

Ms. Richards requested a vote on the FMRs.

Resolution 2019-038

Ms. Wilson moved to approve. Ms. Haney seconded.

5-Ayes (Budrow, Favulli, Mayberry, Wilson, Haney) 0-Nays MOTION CARRIED

Ms. Richards reported that the security patrol at Rose Morin may soon be reduced.

Mr. Cabral reported that that town is waiting on a decision from DHCD about Esker Place (Ms. Favulli recused herself for this report).

Report of Correspondence, Activities and Training Opportunities:

- Ms. Richards asked the board to consider releasing the FHA from a conflicting deed agreement as an instrument cannot be negotiated. The FHA can assume this.
- A White Pine Road unit has been left in disrepair. It has been taken off line to fix.
- The craft fair booth was visited by many interested in housing, especially for their older parents. A vendor has offered to donate 8 carts to the FHA for tenants to use.
- A tenant left a pan on the stove causing a fire; the tenant has refused to meet with Ms. Richards. The Fire Department found violations when responding to the fire. Eviction notices may be given but only after notices are posted.

Approval of Minutes

Public Hearing Session -August 14, 2018:

Resolution 2019-039

Ms. Haney moved to approve. Mr. Mayberry seconded.

5-Ayes (Budrow, Favulli, Mayberry, Wilson, Haney) 0-Nays MOTION CARRIED

General Session – August 14, 2018:

Tabled

Public and Tenant Representative Comments:

Linda Howard requested information which Ms. Richards agreed to email to her.

Report of the Maintenance Director

Other Maintenance projects and updates:

Mr. Arsenault reported that water projects will take up much time this fall.

The department is almost fully staffed now.

Reports review:

Mr. Arsenault reported that there are 3 new scenarios for the Harborview parking lot with an emphasis on a scaled down project and less costly interventions. Upon review, the board favored plan B.

Resolution 2019-040

Ms. Haney moved to authorize Mr. Arsenault to pursue Plan B as the board's preference. Mr. Mayberry seconded.

5-Ayes (Budrow, Favulli, Mayberry, Wilson, Haney) 0-Nays MOTION CARRIED

Work Orders: 275 this month.

Report of the Financial Manager

Payment of bills and approval of HAP payments – VOTE:

Tabled.

Approval of Payment to PHI Inspections - VOTE

Resolution 2019-041

Ms. Haney moved to approve. Ms. Budrow seconded.

5-Ayes (Budrow, Favulli, Mayberry, Wilson, Haney) 0-Nays MOTION CARRIED

Report of the Assistant Director

Waiting list updates: In Ms. Pearce's absence Ms. Richards reported that the waiting list is being updated.

Request to discontinue monitoring the Longshank development – VOTE

Resolution 2019-042

Ms. Haney moved to discontinue. Ms. Wilson seconded.

5-Ayes (Budrow, Favulli, Mayberry, Wilson, Haney) 0-Nays MOTION CARRIED

Future agenda items – due to FHA by October 2, 2018

Annual Performance Review of Executive Director:

Ms. Richards requested that a review be done. Templates will be gathered for this.

Public Housing Admissions & Occupancy Plan (ACOP) - VOTE

Next scheduled meetings (pending discussion regarding other proposed 2018 dates) –
1:00 pm on Tuesday, October 9, 2018 at Tatakot Community Room

Resolution 2019-043

Ms. Haney moved to adjourn. Ms. Budrow seconded.

5-Ayes (Budrow, Favulli, Mayberry, Wilson, Haney) 0-Nays MOTION CARRIED

FALMOUTH HOUSING AUTHORITY COMMISSIONERS
EXECUTIVE SESSION MINUTES

September 11, 2018 at 1:00 pm
Harborview Apartments – Community Room
115 Scranton Avenue, Falmouth, MA 02540

Ms. Favulli convened the meeting at 1:02 p.m.

A. Review real-estate issue regarding Lot 4, Frances Avenue - M.G.L. Ch. 30A, Section 21(6) — to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body:

Ms. Richards explained that property on Frances Avenue was being sold. The owner of the property alleges that the dumpster and parking used by Salt Sea tenants is on this Frances Avenue property.

Attorney Doug Cabral reported that he was presented with some correspondence in this matter and is waiting to hear from the seller's attorney. He thought that the parking lot and dumpster seem to encroach.

A discussion included the following:

- Options include removing the dumpster and parking or taking the property by adverse possession. The latter may be done if the property has been used for at least 20 years. Evidence is needed to make a case for this. How valuable the property is should be addressed.
- Though a 1975 GIS shows no dumpster, the town engineering department should have 1995 aerial surveys of the area.
- A ground survey has not been done and information is coming from mortgage lot line documents.
- FHA staff believes that the dumpster has been there at least 20 years.
- If 20 years can be substantiated, consider how valuable the property is.
- There is no other place to put the dumpster and at least 3 parking spaces would be lost.
- Would the original plans indicate where the lot lines are?
- Instrumentation from this time is not relied on now. 1995 aerials would be more accurate.
- Has the owner offered to grant an easement? They seem to acknowledge the dumpster has been there for more than 20 years.
- An easement by agreement should be investigated.
- An instrument survey will be needed to determine if there is encroachment.
- If the FHA decides to pursue keeping the property, Land Court or Superior Court are very expensive.
- The homeowner acknowledges the situation has been in existence for more than 20 years; is there an agreement somewhere?

Resolution 2019-035

Ms. Haney moved to authorize funding for the land survey and to allow Doug Cabral to negotiate an easement. Mr. Mayberry seconded.

5-Ayes (Budrow, Favulli, Mayberry, Wilson, Haney) 0-Nays MOTION CARRIED

B. M.G.L. Ch. 30A, Section 21(6) – Review tenant matter related to Harborview Apartments and potential litigation and/or matters related to a member of the Board of Commissioners to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complains or charges brought against, a public officer, employee, staff member of individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties:

A question arose about whether Mr. Mayberry could participate in the discussion. Mr. Cabral explained that he could not deliberate but could answer questions.

Ms. Richards clarified that the purpose of the executive session was to notify commissioners of an issue pertaining to a commissioner.

Ms. Richards reported that she sent notices to both Mr. Mayberry and Ms. Labadini on the same day informing that there would be an executive session meeting about an allegation Ms. Labadini made about Mr. Mayberry. Ms. Richards noted that Ms. Labadini reported that she was upset that an Executive Session was called because she did not request one nor submit a written complaint regarding any new issues between her and Mr. Mayberry. Ms. Richards, however, reported that Ms. Labadini's disability advocate left several messages for Ms. Richards noting that Ms. Labadini was upset that there was still an issue and Ms. Richards had not been aware that there was still an issue because Ms. Labadini had not reported any continued issues since the last Executive Session held regarding Mr. Mayberry and Ms. Labadini. Ms. Richards said she would meet with Ms. Labadini and her advocate but only with an attorney of the FHA present. Ms. Labadini has not, to date, accepted Ms. Richards' offer to meet with a FHA attorney present. Ms. Richards discussed the matter with Ms. Labadini's advocate and the advocate stated she would ask Ms. Labadini again if she would be willing to meet with FHA and its representative. To date no further contact has been received from neither Ms. Labadini nor her advocate.

A discussion included the following:

- Doug Cabral clarified that this is not a hearing; it is notification to the Board of a matter involving a Tenant who also serves as a Commissioner.
- Ms. Richards explained further that Ms. Labadini came to the front desk to complain about Mr. Mayberry, stating that "he is everywhere that she is." She provided examples such as "When I go to check my mail, he checks his mail;" and "When I get into the elevator, he is also in the elevator." Staff (Marie Palmer and Trisha Herlihy) asked Ms. Labadini if she would be willing to place her complaint in writing. Ms. Labadini did not do so. The staff did not immediately notify Ms. Richards of the complaint based on Ms. Labadini's request to not move the matter further at this time.

- Ms. Richards has met with all staff to review matters that are identified as complaints and those that, while not identified as complaints, must be still shared with the Executive Director. Staff has been told that any report that appears to be a complaint or concern can be documented by the staff; the tenant does not have to place their concerns in writing.
- Ms. Richards remains open to meeting with Ms. Labadini, her advocate and Mr. Cabral (attorney for FHA) to discuss any ongoing concerns.
- The Board then asked Mr. Mayberry what happened.
- Mr. Mayberry reported that he had not spoken one word or comment to Ms. Labadini since the previous agreement to have no contact with her. Mr. Mayberry stated that he has not been in the vicinity of Ms. Labadini, except for when he is sitting in the lobby and she passes through the lobby to exit the building.
- The Board was concerned that the staff had taken training yet did not take the complaint of Ms. Labadini or inform the director of the complaint. The Board asked if the staff apologized to Ms. Labadini. Ms. Richards responded, "No." But would do so personally during a meeting with Ms. Labadini.
- Ms. Richards would like to reoffer a transfer to the parties. Both Mr. Mayberry and Ms. Labadini have been offered an opportunity to transfer; both have refused to accept the offer (which would be at the housing authority's expense).
- The Board asked Attorney Cabral what additional steps can be taken at this point as Ms. Labadini has not requested any further resolution, Mr. Mayberry insists no interactions have occurred and Ms. Labadini has not provided any other facts regarding ongoing concerns. Mr. Cabral has urged the commissioners to try to discover the facts of the matter and to monitor the situation. Mr. Mayberry stated again that he avoids Ms. Labadini.

Resolution 2019-036

Ms. Haney moved to adjourn and reconvene the regular session at 1:59 p.m. Ms. Wilson seconded.

A roll call vote was taken:

Ms. Haney-Aye
 Ms. Budrow-Aye
 Ms. Wilson-Aye
 Ms. Favulli-Aye
 Mr. Mayberry-Aye

MOTION CARRIED

FALMOUTH HOUSING AUTHORITY MINUTES
COMMISSIONERS BOARD MEETING
December 11, 2018 at 1:00 pm
Tatakot Apartments – Community Room
138 Teaticket Hwy, E. Falmouth, MA 02536

The Falmouth Housing Authority Board of Commissioners has the right by vote to take items out of order.

MEMBERS PRESENT: Patricia Favulli, Chairperson
Ernest Mayberry
Patti Haney
Holly Wilson
Sari Budrow

STAFF PRESENT: Bobbi Richards, Executive Director
Leslie Pearce, Assistant Director
Kimberly Conn, Finance Director
Bob Arsenault, Director of Maintenance

OTHERS:
Linda Howard
Pat Johnson
Shirley Lewis
Maureen McIver, (Independent Contractor)-Recording Secretary

The General Session of the Board of Commissioners Meeting of the Falmouth Housing was convened at 1:00 p.m. Ms. Favulli called the meeting to order.

Approval of Minutes

General Session – November 13, 2018: Tabled.

Release of Executive Session Minutes of December 19, 2017:

Resolution 2019-067

Ms. Budrow moved to release. Mr. Mayberry seconded.

5-Ayes (Favulli, Mayberry, Haney, Wilson, Budrow) 0-Nays MOTION CARRIED

Release of Executive Session Minutes of September 11, 2018: Tabled

Public and Tenant Representative Comments: None offered

Report of the Maintenance Director:

- Federal Properties: Harborview, Tatakot, Rose Morin: Mr. Arsenault reported on the fire panel problem at Tatakot which occurred over the weekend causing disruption in communication with the Fire Department. He said that Robo calls to inform tenants of the problem worked very well. Options for repairing or replacing the panel are being examined.
- Harborview parking lot project: The process is moving along. The survey has been completed and existing conditions and property preparation will be done next.
- Rose Morin roof project: Mr. Arsenault explained that the 10 roofs would be done one after another. Bids would be sought this Winter with work to be done in the Spring.
- Generator at Rose Morin: Illness at the electrician's office has delayed the report on pricing (portable unit versus permanent installation).
- State Properties: Choate, Salt Sea, 705's Scattered Site Houses, 689-Bayberry
 - Contractor Bid for Roofing – 705s – VOTE: Mr. Arsenault requested that this be tabled
 - Septic Bid – 705s: Due 12/20.
 - Generators at 667s: It may be possible to tap into the gas line for this.
 - Salt Sea parking and lighting project: The state is finalizing the bid. Spring construction is expected.
 - 8 White Pine: A force account has been approved by the state.
- Reports review

Vacancy Turnovers: There are 4 underway.

Work Orders: There were 239 in November.

Report of the Financial Manager

Payment of bills and approval of HAP payments – VOTE

Resolution 2019-068

Ms. Haney moved to approve. Mr. Mayberry seconded.

5-Ayes (Favulli, Mayberry, Haney, Wilson, Budrow) 0-Nays MOTION CARRIED

Approval of Payment to PHI Inspections – VOTE

Resolution 2019-069

Ms. Wilson moved to approve. Ms. Haney seconded.

5-Ayes (Favulli, Mayberry, Haney, Wilson, Budrow) 0-Nays MOTION CARRIED

Review of management fees due from FHC entities – October 2018: Ms. Conn noted cable increase notifications were sent to tenants. The amount of increase is \$1.00 per month.

Report of the Assistant Director

Waiting list updates: There has been 98% or better for vouchers.

Section 8 tracking report: Of 319 available, 316 are utilized.

Report of the Executive Director

- Esker Place – Update: FHA has provided a response to questions posed by DHCD and is waiting for a reply.
- HUD Implementation of Minimum Heating Standards in Public Housing Properties – VOTE: Ms. Richards explained that the federal standard was not as stringent as the state standard which the FHA uses. HUD requires that temperatures not be below 55 and Massachusetts requires not below 64.

Resolution 2019-070

Ms. Haney moved to accept HUD's Minimum Heating Standards in Public Housing Properties. Ms. Wilson seconded.

5-Ayes (Favulli, Mayberry, Haney, Wilson, Budrow) 0-Nays MOTION CARRIED

- Executive Director Evaluation: Upon review of the sample evaluation documents, the Commissioners found none that were applicable due to the constraints of their role. A discussion included the following:
 - Goals and a mission statement should be developed and an evaluation based on that.
 - What are the Director's goals?
 - Training for the staff has been a good thing and should be a goal.
 - The Board should have standard operating procedures and goals.
 - Are the Commissioners recommending that the Executive Director develop a vision and goals and that would form the basis of an evaluation?
 - What would the Commissioners like to see accomplished? Community initiatives? Grants? The Executive Director sought guidance.
 - The Commissioners suggested continued staff training, budgeting and grant goals, community work, public relations to inform the public about what FHA is accomplishing, and in general quantifiable things that pertain to the running of the housing authority, all informed by what the Executive Director sees as being needed.
- Public Housing Admissions & Occupancy Plan (ACOP): This is still in process; the goal is to have it completed by the end of December.
- Report of Correspondence, Activities and Training Opportunities:

Ms. Richards's report included the following:

- The PMR from DHCD yielded one corrective finding regarding the excessive balance due from an 705 eviction.
- Tenants at federal properties have been sent letters reminding of non-smoking regulations. The letter was drafted by our counsel, Douglas Cabral of Collins & Cabral, P.C.
- The police have increased their rates for patrols done at Rose Morin and Tatakot.
- There were 221 applicants for 19 Mainstream vouchers before the waiting list was closed. 4 families have utilized the vouchers so far.

Future agenda items: due to FHA by January 2, 2018

Next scheduled meeting (pending discussion regarding other proposed 2018 dates) – 1:00 pm on Tuesday, January 8, 2018 at the Harborview Community Room

Resolution 2019-070

At 1:50 Ms. Haney moved to adjourn. Mr. Mayberry seconded.

5-Ayes (Favulli, Mayberry, Haney, Wilson, Budrow) 0-Nays MOTION CARRIED

Relevant Documents

- Agenda for 12/11/18
- Minutes for 11/13/18, 12/19/17, 9/11/18
- Executive Director's Report 10/10/18-12/10/18
- NanMcKay Owners Handbook
- October 2018 Falmouth Housing Corporation Billing
- DCHD Public Housing Notice No. 2018-21 "Massachusetts State-aided Housing Programs Property, Boiler & machinery and Crime Insurance Policy Period – 11/17/18 to 11/17/19
- DHCD Public Housing Notice No. 2018-22 "Notice of Funding Availability (NOFA) for Comprehensive Sustainability Initiative (CSI)
- HUD Notice PIH 2018-19 "Housing Opportunity through Modernization Act of 2016 (HOTMA) – Implementation of Heating Standards in Public Housing Properties
- Email (9/27/18) from Paul McFarland/DHCD re: Falmouth Housing Authority – 2 Esker Place, Falmouth, MA
- Fenton, Ewald & Associates – Financials through October 31, 2018
- FHA Work Order Report – November 2018
- DHCD PMR Report
- Revised listing for FHA Board of Commissioners
- PHI Inspections November 2018 Bill
- Letter drafted to Tenants, 12/4/18, by Collins & Cabral, P.C. regarding No Smoking
- CY 2018 Section 8 Utilization Report
- FHA Newsletter, December 2018
- Executive Director Evaluation Samples (5)