



NORTHAMPTON HOUSING AUTHORITY

Approved –November 15, 2018

MINUTES

Members of the Northampton Housing Authority met in Regular Session at “McDonald House” at 49 Old South St. Northampton, Ma. on Thursday November 15, 2018.

The Chairperson called the meeting to order at 6:35 PM.

Upon Roll Call, those present and absent were as follows:

PRESENT: Vice Chairperson Brooks, Commissioner Budgar, Commissioner Richards, Commissioner Laufer and Chairperson Jones. .

ALSO PRESENT: Cara Clifford; Maria Walton; Deb Dunphy; Sharon Kimble; Keith Walsh; Lynn King; Tom O'Connor; John Wyda; Roy Martin; Heidi Sousse; Erika Krause; Toni Parizo; Shannon Scott; Dylan Krupa; Joseph Santaniello; Angela Santaniello and Gary Depace.

Chairperson Jones wants to change the agenda to have Gary Depace, Fee Accountant speak on the FY19 Financials.

Cara Clifford advised the Board she has three documents for the Board to sign regarding the FY19 Budget.

Gary Depace went over the financials with the Board. Cara wanted the Board to know that Budget guidelines allowed up to a 4% increase in salaries based on performance. Maintenance – labor and industry rates that govern what our maintenance men make as well as they have a union contract. Commissioner Budgar asked about a reserve for legal settlements. Gary replied it is on the Balance sheet, it has been expensed, but it is not in the Budget. Commissioner Budgar also asked about the money settlement we received from HUD. Gary replied that we have no guidance yet, but it should always be used for housing related items. The money has been kept separate from the Federal Project. There is no time limit on spending of the money.

Gary – This year we replaced one of the oldest trucks and we are buying a new trailer. Also budgeting for appliances.

Commissioner Budgar – as our Accountant is there anything we need to do differently? Gary No, things are going well.

Chairperson Jones – the Federal operating reserve how would you rate that? Gary – very good. The Federal funds us well; the State is now starting to fund programs as well.

This concluded Mr. Depace’s presentation.

Commissioner Budgar – spoke to Chairperson Jones about three motions he asked for.

Motion # 1 – Public Comment.

Motion # 2 – Any and all letters sent to residents be presented to the Board beforehand.

Motion # 3 – Executive Director Report – go into more detail regarding tenant issues and complaints.

Chairperson Jones – Regarding the Public Comment - my problem is I believe that because it is not included on the agenda it is a potential open meeting law violation. He also believes the third motion from Commissioner Budgar is illegal. The motion to have all memos to the tenants approved by the Board

- it is not the Board's duty to get involved in the day to day business. Possibly put the motions on the agenda under "Any Other Business".

Commissioner Budgar said there needs to be a better connection with the Executive Director and Staff because they were not notified of the Forsander Lock problem.

Chairperson Jones talked about the Forsander lock issue. He received a phone call from a tenant who was worried about security. He passed it off to Cara who investigated the situation and talked to Legal counsel and acted accordingly and realized that locks should be on all doors all along. It is not a new policy, it is called following the law. Re: supplying the intercoms - there is a plan in place but it will take three or four months to implement but we wanted to secure the front doors and secure the building. Chairperson Jones apologized to the residents of Forsander, delivery people, relatives, etc. for any inconvenience until the intercoms are put in. The Board was notified. Our job first and foremost was to secure the building. Intercom is on the agenda tonight and will be talked about. There is no new policy being implemented. He doesn't feel it is a case that the Board didn't know about it.

Commissioner Budgar is concerned - they are responsible for everything that goes on and they should know what the Executive Director is doing. There is a major problem with communication between the Executive Director and tenants. He doesn't want to pick up the paper to find out what is happening. Board needs to know beforehand.

Cara Clifford quoted from DHCD "finally Board sponsored criticism of an employee or the Executive Director in open session without proper notice to the individual in writing violates open meeting law and the protection of the reported individual inside or outside of a Board Meeting." Right now I am putting you on notice (Mr. Budgar) that those are my rights that have been violated and every single time this is happening it's a violation of the open meeting law. I am providing clarification because I have had enough of being held as the scapegoat here. I have done nothing wrong, I have followed the rules, yet this continues to be my fault that I am not informing the Board and it is ridiculous.

Commissioner Richards - Seems like everyone is right and she understands following the law - but when they pick up the paper and read where they are asleep at the wheel, it doesn't feel good. Is there a way they can find out before it hits the paper without violating the open meeting law.

Cara - it is hard because we don't know what they are going to put in the paper. When the reporter spoke to her, had she known it was going to be in the paper she would have emailed the Board. Its violation of the open meeting law if you reply to the email. Richards - if it is not a violation and a reporter calls, let us know.

Motion for Public to Speak - Commissioner Budgar put forth the motion, seconded by Commissioner Richards.

Chairperson Jones - When we had the air conditioner meeting we deliberately put the public speaking on the agenda and exercised it. He is willing to have it in the bylaws in the future. He doesn't want to be called on the carpet again.

Attorney O'Connor - Call the Attorney General's office for guidance. Need to ask for a motion each time it is not on the agenda until the bylaws are revised.

Cara - contacted DHCD'S Attorney John Liebel. Regarding Public Comment - He said the Board would be wise to carefully structure what a "public speak out" policy would look like. If a tenant has a specific complaint concerning his or her tenancy then that should be addressed through the grievance procedures in the lease and governed by the regulations. The Board is not a forum to address or resolve such a complaint. Additionally the board needs to be sensitive to facilitating the disclosure of an applicant or

tenant by a third party or other tenant thereby violating that applicant or tenant's right to privacy. Finally board sponsored criticism of employees or the Executive Director in open session without proper notice to the individual violates the open meeting law and the protections afforded that individual. Motion # 2 – Clearly violates the limitation of the board to act by “carrying on the day to day operation of the authority.” That is the Executive Director's job. Motion # 3 – A request could be done if it is generic in the subject matter and not identifying individual tenants or employees. The ED can bring to the Board's attention some new issue that she wants the Board to be aware of.

EMPLOYEE AND TENANT ISSUES

Employee Issues: None.

TENANT ISSUES:

Angela Santaniello – Salvo – showed us a flyer regarding the creation of the “Neighborhood Circle” at Salvo. This was approved by the Executive Director and Lynn King.

Erika Krause – McDonald – Cara is doing a good job! It is a hard task.

Heidi Sousse – Salvo – would like to sign up for a garden plot for next year – by the end of January because they go fast. Cara – send Maria an email and copy Jeff Jones. Why do they write by-laws where you guys can't talk like normal people and it's all anal retentive. If you want to talk about something you should be able to talk like normal people. Who is the Moron who came up with this law? Jeff Jones – the State. It limits us. Heidi - Feels stifling and inhuman.

John Wyda – Salvo - Cara is doing a fantastic job. Regarding the speed bumps that are in the basement. Cara – waiting for a response from certain City agencies – could be a potential liability.

John – received memos today regarding the parking for snow- short notice, they should have been sent out last month. Maintenance does a great job – but at the end of the day they should walk around the building and fix things. Also, there are pot holes in the driveway and a tenant fell in a pothole. Cara – send me an email regarding the person who fell in the pothole. Vehicles that should be towed. He has pictures from January 27th. Resident parking – Jack has signs. People coming in everywhere that are not residents. Cara – can you meet with me tomorrow? Toni Parizo – make colored lines for parking.

Joseph Santaniello – Salvo – Communication problem easily remedied – put it in writing and send it to NHA. It will get to the right people eventually. People are sneaking into Salvo – police do come. He and John are doing neighborhood watch – working with Chief Casper. Putting it in writing has worked for he and his wife. It is the Tenant's responsibility to report.

Jeff Jones – establish the record of something coming up, it doesn't happen overnight but there is a paper trail.

Christine Haigney – McDonald – regarding the air conditioners. Was it on the agenda for the air conditioners posted before they got notice? Jeff Jones – I think part of it is the definition of if it was a policy decision or not. A large part of it was following a law. We were given directive by an inspection agency that we were violating tenant access around blocking off a window with an air conditioner – avenue of escape should a fire break out. The Gazette and others interpreted that we were not allowing air conditioners. The end result of the Board meeting discussion is that at some point in time the inspectors would be back and we would be found in violation. Made it very clear to the Board that if and when that happens this Executive Director would not take the fall for that. The Director was trying to respond to legal interpretation that was put before her.

Cara – email address for Christine – give to staff member. She wants a copy of the law. Christine said the elevators are very clean!

Mrs. Santaniello – Salvo – suggestion – maybe one specific email at NHA that people can write send things to.

Heidi – regarding snow removal – Jon Hite used to have a large poster that took up two walls in red writing and also in Spanish . He would just roll it up after and save it for the next storm.

Chairperson Jones – how far in advance did he post it? Heidi – the day before. Cara – our new website will help with that in the future.

Erika Krause – no computer skills. Cara – working on classes for tenants.

John Wyda – have the classes in Spanish also.

Chairperson Jones – Public Comment – 3 minutes speaking time only.

Section 8 tenant – Commissioner Budgar had the idea of public comment - did the bylaws get changed or is it just for this meeting?

Chairperson Jones- just for this meeting.

Toni Parizo – McDonald – washer/dryer fund – money was used to buy bookshelves, etc. for the projects.

Sharon Kimble – the laundry fund – 2139 account is state – when money is spent all tenants have to get the enjoyment from it. The Federal projects don't have that, we don't get to keep the money. Toni also wanted to thank NHA for realizing the seriousness of what she is going through and not pushing her away.

Erika Krause – The Senior Center coming here to doing an aerobics class?

Public Comment closed at 7:59 p.m.

Chairperson Jones – October 2018 minutes. Was September approved? Commissioner Brooks put forth the motion to approve September minutes, seconded by Commissioner Budgar.

VOTING AYE: Commissioners Budgar, Richards, Laufer, Brooks and Chairperson Jones.

VOTING NAY: NONE

Whereupon Chairperson Jones approved the September minutes.

Cara- October minutes, there was a scrivners error, copy in your folder, page 2 is highlighted where the scrivners error is. Commissioner Brooks put forth the motion to approve the October minutes seconded by Commissioner Budgar.

VOTING AYE: Commissioners Budgar, Richards, Laufer, Brooks.

VOTING NAY: NONE

ABSTAIN: Chairperson Jones

Whereupon Chairperson Jones approved the September minutes.

NEW BUSINESS:

MOTION - ADOPTING RESOLUTIONS #1174, #1175 ,1176 & 1177

Four Budgets presented by Gary Depace for the Board to approve. #1174 – Annual Operating Budget for State-Aided Program 400-C for Fiscal Year 2019. #1175 – Annual Operating Budget for State-Aided Program 689-C for fiscal year 2019. #1176 – Annual Operating Budget for State Aided MRVP Program for Fiscal Year 2019. #1177 – Revision # 1 of the FY 2019 Federal Budget.

Commissioner Richards put forth the motion to approve all four resolutions, seconded by Commissioner Books.

VOTING AYE: Commissioner Budgar, Richards, Laufer, Brooks and Chairperson Jones.

VOTING NAY: None

Whereupon Vice Chairperson Brooks approved the Motion.

DISCUSSION: INTERNAL CONTROL POLICY AS DIRECTED BY HUD

Review the draft to submit to HUD. Commissioner Budgar – credit cards – who has them? Cara – there are four cards from Peoples United Bank. No one has readily access to the cards – used for online ordering, etc. We also have a Lowes and Home Depot credit card.

RFP for banking services – have we switched banks? Sharon – yes NHA followed the Federal guidelines. Peoples United does what we need for the Federal side. How often are we required to change Sharon? Not a lot of banks do it, just United.

Commissioner Budgar - Are bad debts going to the Board for approval – has that happened? Cara – yes, now it is on the monthly Director's report, so it is not a vote. Budgar - so we don't actually vote on that report? Cara responded that HUD instructed us to do this in August and it was part of the October board meeting.

Chairperson Jones – are you amenable to that?

Commissioner Budgar put forth the motion to approve, Commissioner Brooks seconded the motion.

VOTING AYE: Commissioner Budgar, Richards, Laufer, Brooks and Chairperson Jones.

VOTING NAY: None

Whereupon Chairperson Jones approved the Motion with modifications

DISCUSSION: PERFORMANCE MANAGEMENT REVIEW BY DHCD ON 11/9/18

Federal government came out last Friday and had only two findings. One was budget to actual variance requiring corrective action and it was because Cara didn't have an approved budget. They gave us the budget guidelines 10 months into a 12 month budget. NHA only had 2 months to implement a 12 month budget and they expect you to spend within 10% of what your numbers are, we don't have an approved FY19 budget. That is her response to the Agency them with regard to corrective action and they have accepted it. The other thing was submission timelines. We did not realize that if you did not click one item, it was not submitted, and it sat there for 4 months but it has been remedied. Other than that we received no findings in all the other items which is almost unheard of. This was not a published year.

Commissioner Richards – Stated - we are doing well. Cara – we are doing very well. Essentially no findings, just corrective action.

Chairperson Jones – numeric score? Cara – None associated with the report, just findings or no findings.

DISCUSSION: CITY OF NORTHAMPTON REQUESTED CONVEYANCE OF LAND AT MCDONALD HOUSE

City has approached us and asked us to convey the land to them. The area behind the McDonald building. Cara feels we should really think this through before making a decision.

Commissioner Richards – we don't know what they want it for?

Attorney O'Connor - maybe expand parking, they lost parking spots and are trying to recoup.

Richards – will there be a public hearing on this?

Cara – they want us to give it to them.

Commissioner Brooks – I don't know how they can put parking there. That is the only old forest left, including the South St. underpass. He likes to sit outside and look at it.

Commissioner Budgar – how much land? Cara - .5 acre. Budgar- any ramifications if we don't give it to the City? Can they take it by eminent domain?

Chairperson Jones – Wayne Feiden brings forth many projects that don't go through.

Shannon Scott – Salvo – it is also a natural drainage.

Commissioner Budgar stated to the Director - you will keep us apprised.

DISCUSSION: FORSANDER SECURE ENTRANCE INTERCOM OPTIONS

The doors did not have automatic closers that latch. When this was brought to our attention, the Attorney looked into it and it is the law. We provided notice to residents. There is a box with a key to get in for Police and Fire and PCA's. We provided keys at no charge to providers, family members, etc. We have three bids for the intercom system - we can do it in house for around \$10,800.00. Cara recommends we do this. Money to come from the laundry and / or special fund account. It is a visual/audio intercom. Commissioner Budgar - Is that the only thing they are concerned about? Having to go down to open the door for package delivery, etc.? Was there a meeting a Forsander about this?

Cara - a memo went out explaining what was going on. We ordered the pushbar first. When we start the job another memo will go out. Jack Redman also met with a few of the tenants.

Commissioner Budgar - regarding the picture in the Gazette - the door does not look ADA compliant.

Cara - this building is grandfathered in - only if we do a major renovation to the building or rebuild do we need ADA compliance. Any tenant can live at Forsander.

Commissioner Laufer - fund through laundry and/or reserves - maybe both. Cara doesn't want to deplete the laundry fund.

Commissioner Richards - Is this a motion or a discussion?

Cara - would like it to be a motion.

Commissioner Brooks - what percentage of each fund? Cara - taking one fund or another, it doesn't matter which one we take it from.

Commissioner Richards - should there be a maximum? What would you suggest as a maximum without further approval? Cara - would like there to be a maximum.

Chairperson Jones - how fast would we know?

Cara - if this is approved for \$12,000.00 we can at least order the parts.

Commissioner Richards - motion to approve up to \$12,000.00. Commissioner Budgar seconded the motion. Commissioner Laufer stated that whatever we order, check with Maintenance to make sure they know how to fix it when it breaks down. Sharon Kimble - Maintenance Electrician already looked it over.

DISCUSSION: STATE RESIDENT ADVISORY BOARD

Public hearing re Mr. O'Donnell's proposal for the advisory board. There is no such thing as a resident advisory board for the state properties. Federal properties require resident advisory board over 300 units, we have 110. It gets handled a little different for Federal. If we get some really strong tenant associations it would take the place of the resident advisory board and serve us better.

Commissioner Budgar - "resuscitate tenant association." Feels bad that Salvo disbanded - coax groups to come together and get tenants association, give our tenants a sense that we are listening to them. We need to have two separate - one state and one federal.

Budgar - do a proposal with who is on it and how to get selected, how often they meet, what is discussed.

Cara - The Feds have one - because we are small housing authority we are not required to have the actual resident advisory board but we hold to the same practices. Maria will reach out to Feds and see what they have and maybe we can follow those guidelines. Cara will give update.

Budgar - if we do this I would like to have advisory committee meet with the Board a few times a year.

UPDATE:

Website Update

Cara would like a group photo of the Board members and individual photos with a blurb and about six sentences of what each person is about. Photographer has been taking pictures and can come take photos before Board meeting.

Commissioner Richards – good idea.

Chairperson Jones – He always wanted a group photo.

Commissioner Laufer – What is on the website, what will be helpful to tenants - can they pay rent online?

Cara – cannot pay rent yet, but Cara is working towards that, but it will be mobile accessible on the phone. Can look at outstanding work orders, forms, grievance process, procurement, looking at what you owe. Maintenance can also access work orders. Tenants will not have to have a computer, can do it by the phone.

Commissioner Budgar – are we required by law to have the website?

Cara – Yes, and it has been my priority since Day One. Regulations say that we are required to have a website. Ours will hopefully be up and running by the end of January. The template is up and running now. Website- Northampton Housing.org.

Commissioner Budgar – will there be people to update it?

Cara – yes, Jack Redman, Cara and maybe the company.

Sec. 8 tenant – voucher packets are old that was given to her this summer. Cara will look at it. This stuff will now be on our website.

UPDATE ON BY- LAW REVIEW COMMITTEE

Commissioner Richards – issues are very complicated. Received more bylaws from other housing agencies about a dozen. Process of reviewing. Meet with Cara and Tom and anyone else they would suggest and make sure they are in legal compliance and then email it.

Chairperson Jones – how far along are you?

Commissioner Richards – they are in the process of reviewing the 12 from Jack - it will probably be January when completed.

Commissioner Budgar – they each independently read the first set of bylaws and then met and made a list. Got another bunch and there are issues that came up. Technology has gone away from our bylaws.

Chairperson Jones – do you need help?

Commissioner Budgar – each of them have made lists and have done a lot of reading.

Chairperson Jones – I have been advised that it would help to involve a third Board member.

Commissioner Budgar – if we had a sub-committee meeting would it be in public? There wouldn't be any public comment period.

Commissioner Richards – it would slow us down but I would rather have it done right.

Commissioner Brooks volunteered to be on the By Law Review Committee.

Chairperson Jones asked to have a motion put forth voting Commissioner Brooks as the third member of the committee.

Commissioner Richards put forth the Motion, seconded by Commissioner Budgar.

VOTING AYE: Commissioner Budgar, Richards, Laufer and Chairperson Jones.

VOTING NAY: NONE

Whereupon Chairperson Jones approved the motion.

At this time, the Executive Director's Report Was Read

Went over the rents collected, recertifications, waiting lists, etc.

On October 30, 2018 there was a sewer backup at Hampshire Heights displacing 4 units – 12A, 12B, 12C and 12D. Units had about 11 inches of sewer water in their basements. Fletcher Sewer and Drain found diapers and children's clothing in the sewer line. Tenants put up at Quality Inn and Fairfield Inn. All

units were condemned by the Board of Health. After clean up air quality testing was done on 11/14/18 and results are still pending. Final inspection by Health Department is scheduled for November 16, 2018. As preventative maintenance the catch basins/man holes at Florence Heights, Hampshire Heights and Cahill were cleaned out.

Cahill is having trees trimmed by Smith College next week.

Forsander had a resident's apartment condemned and the tenant was put up at the Quality Inn. His supportive Agency corrected the issues and the unit was released by the Board of Health.

MOD Projects – Tobin Manor roof is under construction design and the plan to initiate the work is in 2019.

Salvo Security Cameras are still in the process of construction design with DHCD.

Hampshire Heights water intrusion cost is estimated at \$409,000.00 which will be added to the Hampshire Heights parking lot project as an emergency, which ultimately could affect other MOD projects.

Commissioner Budgar asked about the security cameras at Salvo. DHCD is still working on it – in the construction design phase. We have a Hampshire Heights emergency with water in the basements that will cost \$409,000.00 which may put a hold on purchasing the cameras for Salvo. We are trying hard to keep the cameras. The Neighborhood watch at Salvo will be helpful. Commissioner Budgar said maybe it would be worth a call to our new State Representative. He also said that since the Board has a few new Commissioners it would be good to have a meeting to go over different things.

Shannon Scott – Salvo – dislikes the idea of cameras on the floors, doesn't want them pointing to his door.

Cara replied that the camera is initiated by motion activation. They will be in all the common areas and all floors, but the camera points down the corridor, not on specific doors. Cameras are not recording 24/7. Cameras will not be in the apartments. It is internet based, not just anyone can access.

Section 8 woman said that the new LIVE155 has a camera system.

Commissioner Brooks said the cameras go straight down the corridors.

Commissioner Richards – Regarding the By-Law Meeting – how do we set it up?

Cara said to email her and then Cara can forward the email to others.

Commissioner Brooks should get bylaw information from Jack and then make a list of what he thinks needs to be changed.

Commissioner Richards asked when the next Board meeting is.

It will be on December 10, 2018 at 6:30 p.m.

Commissioner Budgar put forth the motion to adjourn the meeting at 9:15 p.m., seconded by Commissioner Brooks.