



APPROVED JUNE 2020 SPECIAL MEETING MINUTES

Members of the Northampton Housing Authority met “Virtually” on Tuesday, June 23, 2020.

The Chairperson called the meeting to order at 2:02 P.M.

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

PRESENT: Chairperson Richards, Vice Chairperson Brooks, Commissioner Silver, and Commissioner Jones.

ALSO PRESENT: Cara Leiper, Jack Redman, Merridith O’Leary, Atty. Thomas O’Connor, Deb Dunphy, Jose Cruz, Heather Maxwell

NOT PRESENT: Commissioner Laufer

Prior to Roll Call, Chairperson Richards made comment that this is a Special Meeting. There will be a Call to Order, Roll Call, and an address to deal with New Business. We will not take Public Comment or Staff Comment, but I believe we have invited a special guest to be available as an expert.

At Roll Call conducted by Cara Leiper, Chairperson Richards noted that Commissioner Laufer may be joining the call shortly. Cara asked to be informed when she joined the call to be marked present or absent.

NEW BUSNIESS

Chairperson Richards- Gave a brief overview of decisions made due to a DCHD special email on April 28, 2020 concerning Covid-19. We made some decisions about what we needed to do, regarding what was going on in our environment and what was happening at the Soldier’s Home and that we are a high-rise apartment. There were complaints of people coming in and out of buildings particularly during evening and mid-morning hours, so we made a decision to limit that as well other recommendations by DCHD in their memo to follow safety guidelines as well as work with our Board of Health and other safety organizations in our community, i.e. the Police Department. These decisions are what was in order as far as today goes. This is the reason we are meeting today.

Commissioner Silver- Based on the background given, asked to clarify who the “We” is and how it was decided and when.

Chairperson Richards- Directed the question to Cara as to the exact date, and that it was decided based on the DCHD recommendations.

Cara- DCHD put out the Public Housing Notice on April 28, 2020. Prior to that, our office was working with their Risk Management Attorney and trying to work with the Health Department to get them to help us with the “No Visitor” policy. When that didn’t happen it was recommended by Tom that we would limit visitors. That was to prevent the spread of Covid. Based on conversations with DCHD and



our attorney, I decided along with those people to limit the visitors based on the notice. That was on April, 16th. Cara mentioned that Elizabeth may not have been in that meeting.

Chairperson Richards- This decision was made out of large concern for our residents and their complaints of people entering buildings, and not following protocols.

Cara- Originally it was supposed to be no visitors except essential people. Then it became a problem of people coming in unprotected. People were saying, "You can't come in without a mask." There were some people becoming quite aggressive. When contacted about it, the executive team looked into security patrol, something to maintain people not coming in. Also, in reviewing DCHD notice was talks about people not coming in and having people at the door to prevent visitors from coming in.

Commissioner Silver- Thank you, and while I understand the exigency of the circumstances, and what was going on, my only concern, I did not read this PDHN 20.20.20 close enough, or I don't recall even have gotten it, but the first paragraph states that local housing authorities do not themselves have the legal authority to restrict people with a legitimate purpose, such as visiting a tenant. Local Boards of Health do. She expressed that due to the Board of Health not participating in this, that legal authority be determined to avoid any issues.

Chairperson Richards- Cara, I know you did touch base with the Board of Health and the Mayor, and so did I. Can you give background on that?

Cara- Certainly. Before we started working remotely, we essentially did contact them because I was very concerned about what was happening at the Soldier's Home, and because our two high-rise properties are comparable to the cruise ships and nursing homes, and something along those lines happening. Jack and I contacted Merridith and tried to get the Health Department to help us issue a no visitor order, because it could be legally enforced. The City Solicitor got back to us and said she could not do that. After that, the notice came out encouraging us to work with the Health Departments and that this is what the other Health Departments are doing and I gave her examples of that. I didn't hear back, and then the Mayor forwarded the notice to me and Merridith, and I sent an email back asking does this change the position of the Health Department, or will it be remaining the same. I didn't hear back. I spoke to her again a few weeks later, but she had not made a decision on it. She said she had been dealing with a lot and didn't remember getting and I forwarded it again, and I still haven't had any answers about it.

Commissioner Silver- Expressed that was a concern due to the wording being very specific, and not being sure of having legal footing to move beyond this point.

Cara- Reiterated that she did have conversations with both attorneys, and their lack of help from the Board of Health. The concern was of having a huge outbreak, if nothing was done. The notice was worded similarly as to what the other departments in Massachusetts were doing, but it was made clear that it was a Housing Authority decision.

Chairperson Richards- Believes it was the right decision based on the Soldier's Home and local nursing homes, and that is up to insure the safety of our residents. The city police chief Jodi Kasper was also contacted. There were many concerns, particularly at Salvo House, and residents responded that they would like the protection.



Commissioner Silver- Mentioned that she didn't put much weight on the resident response because the survey was flawed. She also would like to hear from Merridith O'Leary as a medical professional.

Jack- Merridith has just joined the meeting.

Chairperson Richards- Thanked Merridith for being on the call, and gave the floor to other Board members to ask her questions.

Vice-Chairperson Brooks- Stated that he tends to lean toward Commissioner Silver's concerns and would like to stake out the legal concerns before moving forward.

Vice-Chairperson Brooks- Agrees with Jeff and Elizabeth

Chairperson Richards- We may be able to resolve this with Merridith right now, and again asks Cara to make clear the steps that were taken.

Cara- Tom is supposed to be on the call. She restates the decisions were made in conjunction with him and DHCD. She contacted Tom and the group is awaiting his joining the call.

Merridith O'Leary- Greets the group and thanks them for the invitation, and would be happy to answer any questions. There is dialog about the background of the conversation.

Chairperson Richards and Commissioner Silver- Re read the DHCD guidelines.

Merridith O'Leary- Cara did approach her in Mid-late March about the strategy and the intentions were very good, because we did want a plan to keep Covid out, and because we knew so little about it at the time. I brought it to the City Solicitor Attorney Seewald, and asked what he thought. If we did issue an order like that one that the community had it could come down to and be issued to the Housing Authority, and we did not want it to be as an infraction. She was not aware of what DCHD had.

Commissioner Silver- We should send it to you and Attorney Seewald to be aware, and for compliance. Does the Board of Health think it's wise to issue the order, and to get behind this?

Merridith O'Leary- Not from a Public Health perspective in terms of trying to stem Covid, no, but if there are alternative reasons, i.e. public safety issues, that's up to you.

Attorney Tom O'Connor- Tom has joined the call and states that this stems from back in early April and the question of how to handle visitors not practicing social distancing etc., and reiterating Cara's concerns about situation of the Soldier's Home and nursing homes.

Cara- Re read DCHD 20.20.20 and asked him to explain his reasoning for issuing the notice. People aren't adhering to the guidelines.

Merridith O'Leary- We are not unique in our concerns about complexes concerned about people's lack of social distancing etc., and doesn't think an order is necessary where we are at in regards to Covid restrictions and stages of opening.

Chairperson Richards- Appreciates Merridith's input and asks for suggestions in how to deal with the concerns at Salvo.



Commissioner Silver- If a few people are the problem at a development, wide restriction is not needed, and suggests more education, not police presence. She asked for Tom's input on how to enforce this, perhaps grounds for eviction or other consequence.

Chairperson Richards- Requests Cara and Tom's response to this idea. She also addresses Jim for a resident's perspective.

Vice-Chairperson Brooks- As a resident, McDonald residents feel they are past the point of needing police to enforce following guidelines. It is not wanted/needed at McDonald. In regards to Salvo that is not a population that he could speak to on the matter.

Cara- I have given much thought about this process in light of protecting residents, and will happily do what the Board suggests. She also gave poll results from the resident inquiry.

Attorney Tom O'Connor- In the past there has been police detail at some of the properties for various reasons, not for the reason of restricting visitors. Police presence can go a long way in maybe asking politely to wear masks, and this wouldn't be contrary to DCHD guidelines.

Chairperson Richards- Room for new recommendation for a detail only at Salvo?

Cara- Currently, it is at McDonald and Salvo.

Commissioner Silver- In response to Attorney O'Connor, she is contrary to the opinion of a police detail considering the current social climate. She also feels it could be viewed as inflammatory, authoritarian, and condescending to residents.

Vice-Chairperson Brooks- Feels that explains Sacred Elder's comments.

Attorney Tom O'Connor- Agrees, and was only offering a historic perspective.

Chairperson Richards- Agrees, and feels that maybe due to Salvo's resident responses, perhaps there should be a security person.

Cara- She has done the research and it was cheaper to hire on off-duty policeman. Residents were asking this as well.

Chairperson Richards- To recap, Public Health is not taking a stand on this, and hasn't in the past. Residents at Salvo want police presence.

Commissioner Silver- Interjects that the survey is flawed.

Chairperson Richards- The survey reflects that Salvo has a problem.

Cara- Asks Tom the question of protocol. Visitors vs. detail and the relation to safety vs. Covid.

Attorney Tom O'Connor- We should add security to a subsequent meeting.

Chairperson Richards and Vice-Chairperson Brooks- Agreed.

Commissioner Silver- I put forth the motion to suspend police detail now in response to Covid.



Commissioner Jones- Moves to second, but has remote connection issues.

Chairperson Richards- Motion is up for discussion, and asks Cara when the next meeting will be.

Chairperson Richards- Proposes a friendly amendment to keep the police detail in place until the next meeting.

Commissioner Silver- Rejected.

Attorney Tom O'Connor- A second may be needed.

MOTION TO SUSPEND POLICE DETAIL NOW IN RESPONSE TO COVID

Commissioner Silver put forth the motion to approve, seconded by Vice-Chairperson Brooks.

VOTING AYE; Silver, Jones, Brooks and Chairperson Richards.

VOTING NAY: None

Whereupon Chairperson Richards approved the Motion.

Commissioner Silver- Is the "No Visitor" order suspended?

Cara- Are we able to stop the "No Visitor" order?

Attorney Tom O'Connor- Cara has the authority.

Cara- It was o.k. to be implemented and it falls under operations, and can be lifted as well.

Chairperson Richards- We did contact the Board of Health, the Mayor, etc., and went with the best advice we had at the time. Salvo house has issues that need to be revisited.

Commissioner Silver- I push for tenant education.

Chairperson Richards- Agreed.

Cara- We haven't been complacent. RSC's provide masks and educate as well.

At this time Attorney Tom O'Connor states he recommends someone put forth a final motion.

Vice Chairperson Brooks makes to adjourn the Board meeting at approximately 3:17 PM and Chairperson Jones seconds.