



**MINUTES
REGULAR MEETING –JUNE 3, 2019**

The Franklin County Regional Housing and Redevelopment Authority Board of Commissioners conducted the regular meeting of the Authority on **June 3, 2019** at the Franklin County Regional Housing and Redevelopment Authority Kulik Meeting Room , 241 Millers Falls Road, Turners Falls, MA 01376.

1. CALL TO ORDER

Commissioner Cottrell called the meeting to order at 5:33PM.

Commissioners Present: D. Prest L. Brown S. Cottrell
 F. Williams J. Atwood S. Hamdan

Commissioners Absent: M. Slowinski

Staff Present: W. Abrashkin J.Carey L. Cornish

Guest: None

2. ACTIONS:

Minutes: Commissioner Atwood moved and Commissioner Brown seconded a motion to approve the minutes of the April 1, 2019 executive session meeting of the Board as prepared.

No discussion

17-306 Vote 6 in favor; 0 opposed; 0 abstaining

Minutes: Commissioner Atwood moved and Commissioner Williams seconded a motion to approve the minutes of the May 6, 2019 regular meeting of the Board as prepared.

No discussion

17-307 Vote 5 in favor; 0 opposed; 1 abstaining

AP Warrant: Commissioner Atwood moved and Commissioner Williams seconded a motion to approve the accounts payable warrant for May 2019.

17-308 Vote 6 in favor; 0 opposed; 0 abstaining

Rescheduling July 1, 2019 regular HRA Board Meeting: Commissioner Brown moved and Commissioner Prest seconded a motion to reschedule the July 1, 2019 regular HRA board meeting due to the July 4th Holiday.

J. Carey will send out a doodle poll to the Board with alternate dates to meet in July.

17-309 Vote 6 in favor; 0 opposed; 0 abstaining

HRA Personnel Handbook Section 3.4.5.1 Transportation: Commissioner Prest moved and Commissioner Atwood seconded a motion to approve the added language to the HRA Personnel Handbook Section 3.4.5.1 Transportation to read as, "In order to qualify for reimbursement for travel and/or expenses, employees must submit to the Fiscal Department a completed mileage report, along with any required receipts showing expenses, all approved by their manager, by the last business day of the month following the month for which reimbursement is requested. Late submissions will not be approved unless the employee shows that reasons for the delay in submission were outside the employee's control."

No discussion

17-310 Vote 6 in favor; 0 opposed; 0 abstaining

Executive Director Contract of Employment: Commissioner Prest moved and Commissioner Williams seconded a motion to approve the Contract of Employment for Executive Director Position between HRA and Gina Govoni.

W. Abrashkin reported the proposed next steps are to obtain DHCD approval of the contract by the end of June and that G. Govoni accepts the E.D. position. She has stated that should she accept the position, she will need to provide her current employer with a 30 days' notice.

J. Atwood reported that negotiations with G. Govoni were in regards to the increase in salary and the ability to acquire 3 weeks of vacation time as of her first start date. She also stated that the language in the E.D. Contract of Employment is verbatim of how it is written by DHCD.

17-311 Vote 6 in favor; 0 opposed; 0 abstaining

Rescind Job Description of Executive Director (Version 1 & 3) and Approve Current Executive Director Job Description-DHCD (Exhibit A): Commissioner Atwood moved and Commissioner Hamdan seconded a motion to rescind Version 1, Vote #17-267 and Version 3, Vote #17-268 of the Executive Director Job Descriptions and to approve the current Executive Director Job Description-DHCD (Exhibit A) to be that used in hiring the permanent Executive Director.

J. Atwood reported that by rescinding version 1 and 3 of the E.D. Job Description and by using the actual DHCD Job Description, it is with hope that the approval process from DHCD will move along more quickly than their projected 60 days. If there isn't communication by June 22, 2019 from DHCD regarding the submitted job description and contract, a meeting with then be scheduled with W. Abrashkin, L. Dunlavy, S. Cottrell and herself to meet with someone in person at DHCD.

A question was posed regarding whether or not the Executive Director Contract is reviewed on a yearly basis.

Input from several Board Members stated that with the previous E.D. there was a review after 6 months of the start date. The Chair recommends a performance evaluation. There was discussion with G. Govoni regarding a probationary period, however the contract doesn't allow for that flexibility so she'll get the starting pay right away.

Commissioner Williams proposed that once the permanent Executive Director starts, the Board should discuss the steps in proceeding with having a performance evaluation completed and reviewed by the Board.

W. Abrashkin suggested that J. Atwood send a memo to DHCD along with the contract and job description advising them of the Agencies situation and the expeditious need for the contract and job description to be reviewed and approved within the next few weeks.

17-312 Vote 6 in favor; 0 opposed; 0 abstaining

Inquiry to Purchase Land in Sunderland Owned by HRA and Any Interest In Selling:

L. Cornish apprised the Board that someone had reached out to W. Abrashkin regarding an interest in buying property located in Sunderland that abuts his, which he believes to be owned by HRA.

She further reported that deeds were discovered that showed HRA purchased 2 pieces of property under HRA. Both of these lots were purchased for \$88,000.00 in the 1990's. Their assessed value currently is approximately \$88,000 apiece. The interested party who currently resides on Lot 55 is interested in purchasing vacant Lot 54 which abuts his property; however there are some deed restrictions. Both lots share a right of way and currently he has a shed placed in that area.

L. Cornish informed the Board that G. Ohlund, Director of Community Development, will do a walkthrough of the land to assess it. There are no values on the books on this land for either RDI or HRA. A letter was discovered that was sent to the town stating that taxes are not to be paid on this land and notification of taxes ceased.

There is also another small property owned by HRA in New Salem, situated close to the road. At this time not sure if it's worth looking into selling it or continue to hold on to it for a few more years.

A question was posed as to whether or not there could be other properties owned by HRA that the Board is unaware of?

L. Cornish replied that there could be.

It was suggested that searching to see if such property exists can be done online.

L. Cornish closed by stating that if the Board chooses to go forward with selling Lot 54, it would have to go out to Bid.

MA NAHRO Go Section8.com Sublicense Agreement: Commissioner Atwood moved and Commissioner Brown seconded a motion to authorize Interim Executive Director, William H. Abrashkin, as contracting officer, to enter into an agreement made by and between the Franklin County Regional Housing & Redevelopment Authority ("Member") and Massachusetts Chapter of NAHRO, Inc. ("MA NAHRO") on behalf of National Housing Registry, LLC ("GoSection8.com"):

WHEREAS, Member is participating Member in MA NAHRO, and entitled to the benefits of such Membership;

WHEREAS, GoSection8.com has granted MA NAHRO a license, with the right to sublicense GoSection8.com's proprietary waiting list management software program ("Licensed Program"), a hardware system for the processing and use of the Licensed Program by others including its servers (collectively, with the Licensed Program, the "Software System") and a website associated with the Licensed Program, including GoSection8.com content, services, technology (the "Site").

WHEREAS, Member desires to acquire a sub-license from MA NAHRO to use the Software System and Site. MA NAHRO is willing to grant the Member a non-exclusive, non-transferable license to use the Software and Site as set forth in this Agreement.

No discussion.

17-313 Vote 6 in favor; 0 opposed; 0 abstaining

Amendments to HRA Section 8 Administrative Plan: Commissioner Prest moved and Commissioner Brown seconded a motion to authorize Interim Executive Director, William H. Abrashkin, as contracting officer, to adopt the MassNAHRO New Project Based Voucher Amendment in accordance with the HRA Section 8 Administrative Plan, effective July 1, 2019.

No discussion.

17-314 Vote 6 in favor; 0 opposed; 0 abstaining

Paid Family Medical Leave Guidelines:

L. Cornish informed the Board that the State of Massachusetts has recently passed paid family and medical leave Act Law, M.G.L. c. 175M in which employers can choose to cover all costs associated with this act or split the costs with their employees. According to Mass NAHRO, housing authorities are exempt from requirements under Massachusetts Paid Family and Medical Leave Act unless the Board adopts MGL c. 175M.

L. Cornish advised the Board to consider whether or not to adopt this act. It will be a cost to the Agency.

The Board unanimously agreed that they choose not to move forward with adopting this Act as the Agency is exempt.

3. STAFF REPORTS

No Discussion.

4. EXECUTIVE DIRECTOR'S REPORT

W. Abrashkin provided the following report:

Sunderland Senior Housing: RDI filed a motion to dismiss the abutters challenge to the zoning permit. The abutter filed her opposition as of today, June 3, 2019. On Friday, May 31, 2019 there was a mediation session held with the abutter. If the motion to dismiss is not allowed, there is a special motion being prepared to dismiss under the Anti-SLAPP (Strategic Lawsuits against Public Participation) law which will provide a quicker means of getting the case dismissed if the main purpose of the lawsuit is to disrupt one's constitutional rights.

GATV v. RDI: RDI Attorney, E. Merryweather has filed a motion for Summary Judgment on the basis that the Plaintiff claims he has not received the payment of loan collateral funds he was due as the managing member of this project. Evidence clearly shows that the loan collateral funds were remitted to the two limited liability corporations in which the plaintiff was aware of and agreed to. If the motion for Summary Judgment is declined, next steps will be to bring the Plaintiff to court.

Erving: The time to submit an RFP for Senior Housing Project in Erving, MA has expired. G. Ohlund is drafting a letter with P. Graham to Erving stating that while an application could not be submitted for this RFP, there is interest in seeking opportunities with Erving for any future RFP's.

Outside Reviews of our Operations: Each department has had a review as needed. Finance is all set. Consultant J. Hite was hired to work with H. Mackay as he was new to the role of being Director of Property Management. Leased Housing had a review and that department is doing well. Pat Byrnes from Regional Housing Network was hired as a consultant to assist with mentoring Manager, A. Watson and assist her with managing the HCEC Department. Jim Mazek from PVCP will be conducting a review of the Community Development Department and work with G. Ohlund on developing documents that will accurately track figures between finance and the CD Dept.

Shelburne Housing Authority: Residents have been expressing concern regarding receiving erroneous 14 Day Notice to Quit letters. It has been recently discovered that these errors are due to administrative and systematic error. Now that this error has been identified, property management staff will need to go through the information manually to ensure that any 14 Day Notice to Quit letters are being sent out because rent has not been received by the 7th of each month, and that any system notification of late or unpaid rent is confirmed as "rent" and not as "other charges."

5. OTHER BUSINESS

Leslie Brown RDI Update:

Commissioner Brown reported that there was discussion among the RDI Board Members regarding the costs involved with the delay in the Sunderland Senior Housing Project due to legal fees due to the resistance from the abutter and extra time it's taking to have people come back to relook at things. G. Ohlund stated that it may be possible to obtain CPA funds to help cover these costs.

She stated that G. Ohlund was the only one to show up at the Erving RFP. As stated previously, he has declined to submit the RFP for the Erving Elderly Housing project but hopes to work with that town in the future.

FCRHRA-YTD 2nd Quarter Ending Actual 3/31/2019:

L. Cornish reviewed the spreadsheet with the Board summarizing the following line items:

Line 1: Vacancies are up. HRA received a penalty due to multiple units being vacant. There were 2 units vacant for over 100 days, but actions have been taken to get them leased up. SHA received a penalty for 6 vacancies because waivers hadn't been put in place for these unrented units which were purposely being held vacant for the Kitchen and Bath Renovation Project. As of 4/29/19 waivers were put into place for June, July and August and as of 5/29/19 there are only 2 vacant units excluding those with waivers. H. Mackay is working diligently with his team to fill all vacant units of HRA and SHA.

Line 2: Fraud income was investigated and corrected YTD as of 3/31/19.

Line 3: Program income for Section 8, MRVP, RAFT, HomeBase and CDBG has been excluded from the report as those are direct costs and income not budgeted for. Admin income was left in the report.

Line 4: She and G. Ohlund are meeting every 2 weeks to follow up on CDBG projections as currently there is a deficit of \$150,000 in this department. An outside review of activity is being done by Jim Mazik of PVPC. RAFT was also slow going this year due to staff turnover. A. Watson has some candidates for this position and it's looking promising this position will be filled soon. On a positive note, Section 8 had an increase in their Admin fees.

Line 5: The external Management fee was affected by vacancies of rents. A question was posed as to the cause of the vacancies. L. Cornish stated that a few reasons why units were left vacant is due to the length of time it took to turn them over, the inability for 3rd parties (i.e. Life Path) to fill the units with residents, Lack of organization and follow through with knowing which units needed to be turned over in order to have an accurate count of vacancies. Now that focus is on this issue it is turning around a bit.

Line 8: By correcting the budget YE to reflect actual accounting and moved salary budgets to reflect the same, this represents COCC costs that are charged back directly to RDI.

Line 11: Reviews the fringe and adjusted to actual as of the 1st half of the year, which is slightly lower than budget.

Line 13: Legal in Section 8 is up due to suit brought against HRA.

Line 20: Moved the actual for COCC rent/utilities to offset where budgeted.

Line 28-31- Utilities are up which in part are due to the budget being evenly distributed versus actual due to the winter season.

L. Cornish lastly reported that Line 40 shows A re-class between HRA and COCC that will be done for the next Quarter Review.

Public Housing Notice 2019-07- Addendum #2-Request for Information: Creation of Regional Housing Authority Entities.

No discussion.

Public Housing Notice 2019-10- Addendum #1-Info Session for Public Housing NOFA's

No discussion.

Public Housing Notice 2019-13- Technical Assistance for Vacant Land Development

No discussion.

Public Housing Notice 2019-14- Public Housing Innovations (PHI) Notice of Funding Availability

No discussion.

Public Housing Notice 2019-15- Blanket Waiver of 760 DMR 6.04 and 760 CMR 6.05: Rent Determination for Retroactive TAFDC Payments Due to Repeal of Family Cap Rule

No discussion

Board Member contact information:

Commissioner Cottrell updated her email address

6. OTHER BUSINESS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE

HRA Housing Rehabilitation Loan Program Subordination, Transfer, Release and Forgiveness Policy: Commissioner Brown moved and Commissioner Hamdan seconded a motion to approve the HRA Housing Rehabilitation Loan Program Subordination, Transfer, Release and Forgiveness Policy as amended per DHCD guidelines.

No discussion.

17-315 Vote 6 in favor; 0 opposed; 0 abstaining

8. DOCUMENTS USED

- Minutes of the executive session meeting held April 1, 2019
- Minutes of the regular meeting held May 6, 2019
- AP Warrant for May 2019
- Personnel Policy section 3.4.5.1 Transportation
- Executive Director Job Description Version 1
- Executive Director Job Description Version 3
- Executive Director Contract Cover Sheet
- Executive Director Job Description-DHCD (Exhibit A)
- Executive Director Salary Calculation Worksheet
- Map and plot survey of land in Sunderland, MA
- MA NAHRO GoSection8.com Agreement
- HRA Section 8 Administrative Plan amendments
- Weekly Wrap-Up-Mass. Paid Family and Medical Leave Act
- Staff Report
- KP Law article: concerns regarding DHCD Executive Director Contract guidelines.

- Public Housing Notice 2019-07
- Public Housing Notice 2019-10
- Public Housing Notice 2019-13
- Public Housing Notice 2019-14

9. ADJOURNMENT

There being no further business, Commissioner Prest moved and Commissioner Brown seconded a motion to adjourn the meeting at 7:08PM. The next *regular* meeting of the HRA Board of Commissioners is **to be determined** and will be located at the Franklin County Regional Housing and Redevelopment Kulik Meeting Room, 241 Millers Falls Road, Turners Falls, MA 01376.

Respectfully submitted,

A handwritten signature in blue ink that reads "William H. Abrashkin" followed by a circled "cc" symbol.

William H. Abrashkin, Secretary ex officio