

**LOWELL HOUSING AUTHORITY  
MINUTES OF THE REGULAR MEETING HELD ON  
WEDNESDAY, MAY 13, 2020 AT 5:00 P.M. (VIRTUAL)  
MERCIER CENTER, 21 SALEM STREET, LOWELL, MA**

The meeting was called to order at **5:00 p.m.** by Chairperson Shea. Upon direction of the Chairperson, the Secretary called the roll of membership which resulted as follows:

Present: Vice Chairman McMahon, Chairman Shea, Commissioner Bernes, Commissioner Howard  
Absent: Commissioner Marr

Chairperson Shea provided the following direction following the roll of membership:

This Lowell Housing Authority meeting is being held remotely in accordance with the Governor of Massachusetts' March 10, 2020 order suspending certain provisions of the open meeting law G.L. c.30A, Section 18 and Section 20

There will be no public participation in the meeting; however, the public may view and listen to the meeting via our website at [www.lhma.org](http://www.lhma.org) under "Board Meeting Minutes and Agendas"

A transcript of this meeting will be made available at [www.lhma.org](http://www.lhma.org) when available.

Chairperson Shea then recognized Attorney Kevin Murphy to expound upon the nature of public meeting law, and the Authority's compliance with state directives.

**MINUTES FROM THE MEETING HELD ON APRIL 8, 2020**

A motion was made by Vice Chairman McMahon and seconded by Commissioner Howard

Commissioner Howard indicated "Chairperson Howard" should be replaced by "Chairman Shea" on page 1 of the minutes. The correction will be made in the minutes.

A roll call vote was taken with the following results:

Yeas: Vice Chairman McMahon, Chairman Shea, Commissioner Bernes, Commissioner Howard

**RESIDENT CORRESPONDENCE**

None

**RESIDENT ORGANIZATION**

None

**SUB-COMMITTEE REPORTS**

None

**FINANCE REPORT**

Ms. Giblin explained that the finance subcommittee met on Friday, May 8<sup>th</sup> and Monday, May 11<sup>th</sup>. On May 8<sup>th</sup>, Sherry Giblin, Adam Garvey, and Dr. Wallace met with Chairman Shea, and on Monday, Adam Garvey and Sherry Giblin met with Commissioner Howard. The items discussed were the line of credit to loan RENU \$60k and the RENU resolution to the Board for a vote. Also discussed, was an electrical issue at AMP2.

The Board has received operating statements as of March 31<sup>st</sup>. Three out of the four AMPS are revenue producing, but as anticipated the gains are starting to decrease. AMP2 is not meeting budget expectations due to the electrical issue at Highland Parkway. All units have since been removed from generators and are back on transformers. The cost of the repairs through March 31<sup>st</sup> was \$89k, but the total cost of repairs to date are \$404k. The agency is using capital funds in the amount of \$96k, as well as applying for a HUD emergency grant, which could provide the agency with another \$250K to supplement the costs. If needed, the agency can also transfer funds from the Central Office. The agency has also identified another funding opportunity through the agency's housing insurance group that may be able to cover the remaining costs for the repair. The agency will keep the Board apprised of any progress.

In response to the COVID-19 pandemic, HUD has released additional operating fund subsidy to address costs associated with the pandemic. This \$1.1M was made available to the Authority through the CARES Act on April 28<sup>th</sup>. This funding is available until December 31, 2020. In addition, HUD has also released an additional \$273K for administrative fee funding for the agency's Housing Choice Voucher Program. This funding is to cover COVID-19 costs and available through December 31, 2020. The Executive Office is working closely with the property managers and program directors to identify specific needs for this funding. The Board will be updated on agency efforts.

Vice Chairperson McMahon commended Sherry Giblin for her report.

Chairman Shea referenced page 2 of the report and making the Board aware of the \$1.1M in funding. Chairman Shea asked if there were any restrictions on spending with respect to the \$1.1M in COVID-19 funding. Ms. Giblin explained that expenditures must be related to the COVID-19 pandemic. While HUD has not identified specific uses, HUD has outlined categories of expenses. The funds must be used to prevent the spread of the virus, and for helping staff and residents who are infected with the virus. The agency can contact HUD to confirm if an expense is eligible for this funding. If the money is not spent, the money must be returned to HUD. The agency is not able to keep this funding in reserves.

Chairman Shea asked about the cleaning schedule for the professional cleaners. Chairman Shea asked about the costs per week for the professional cleaning company. Ms. Giblin reported that the agency is not billed weekly, but rather, has a \$120K contract that will be utilized through May. Upon completion of the contract, the agency will assess the situation and determine if the cleaning company contract should be renewed. This \$120K will also be taken from the \$1.1M. Chairman Shea asked about the other uses for the remaining portion of the \$1.1M. Ms. Giblin reported that the property managers and division directors have been contacted with a request for specific needs, and meetings will be held next week to discuss. Ms. Giblin and Mr. Garvey have discussed laptops and scanners to allow remote workers to be more efficient at home, extending the cleaning contract, and deep disinfecting services for AMP's 1 and 3 to address common areas. Chairman Shea asked why the agency is speaking with property managers now when they received notification in April. Ms. Giblin explained that the agency has already been

spending this money, however moving forward the agency is developing a plan to determine specific needs. Mr. Garvey explained that daily, the agency is communicating with frontline staff to address their daily needs, including personal protective equipment, remote work setup to ensure that the necessities are being addressed. The \$1.1M grant gives the agency the opportunity to improve agency's ability to work remotely, potentially expand wi-fi access for our residents, digital signage to allow for virtual communication instantly to our residents, self-service kiosks to update application information or recertifications from a safe and secure lobby, and further personal protective equipment supply. When the agency opens the offices, the funds would also provide for part-time security personnel, office training on virus prevention, and office renovations to ensure that the agency is complying with social distancing protocol and protecting staff. This grant affords the opportunity to go above and beyond the day-to-day needs to better prepare the agency for the future. Chairman Shea expressed his primary concern is for the health and welfare of the tenants and expressed that he was not aware of the \$1.1M grant. Chairman Shea asked for some clarification from the Executive Director about the reason the Board was not notified of the \$1.1M. Mr. Wallace explained that Ms. Giblin had indicated in the last meeting that additional funds could be expected from the CARES Act, but at the time the agency did not know the amount of funding. Ms. Giblin further explained that Mr. Garvey learned of the funding release on a conference call with HUD, which indicated approximately 2 months of additional operating subsidy. While the agency was notified on April 28<sup>th</sup>, HUD did not provide any additional guidance to housing authorities with respect to funding uses, so the agency was not able to draw down any of the funding at that time. There was also confusion at the time as to whether the funds could be used for past costs, or only those costs incurred moving forward. HUD initially stated that the funds could only be used moving forward but has reversed that decision to say that the funds can be used for anything after the governor's declaration in March of a state of emergency. As the information has become available to the agency, the office has been making the Board aware of the new information. Mr. Wallace explained that the bulk of the money will be used for deep cleaning. Chairman Shea reiterated that his primary concern is the sanitization of the buildings and resident safety. He thanked Ms. Giblin, Mr. Wallace, and Mr. Garvey for their response.

#### **REPORT OF THE CHAIRPERSON**

None

#### **REPORT OF THE EXECUTIVE DIRECTOR**

Mr. Wallace explained that the leadership team is monitoring the health emergency daily and has been in regular contact with the local HUD Office, the Board of Health, DHCD, NAHRO and other large housing authorities for conference calls and meetings. The health and safety of our residents is the agency's main concern. The agency continues to follow the guidance the LHA has received from the State and the CDC. Mr. Wallace thanked the staff and the Board for their support as well as the residents for their continued cooperation during this emergency. Mr. Wallace informed the Board that the agency has two staffing needs to address. The first is the retirement of Assistant Property Manager, Carmen Fernandez, who retired after 42 years. Joshua Aizpurua, who is also an Assistant Property Manager, is relocating to California for a new position. Both positions have been advertised. Mr. Wallace reported that the Philip L. Shea Scholarship, which is typically held in June will be pushed out to August 20<sup>th</sup>, pending our ability to gather as a group. The agency will continue the tradition of the Philip L. Shea Scholarship at the Whistler House, if possible. The application process is underway, and the deadline is May 29<sup>th</sup>.

Mr. Wallace has been in discussions with Chairman Shea, who expressed a strong interest in improving the community rooms of the properties. The community rooms are closed for the foreseeable future, so

the timing is perfect to do renovations to these community spaces. Sam Talbot, the LHA's inspector has been involved in evaluating each space for their needs. There are short and long-term goals for these spaces. The short-term goals include new furniture, painting, drapes, and signage to clean up the rooms. Some of the community spaces, which are much larger are more conducive to community programming. Laura Watts, Capital Asset Manager, has developed a comprehensive report which would provide for programming in some community spaces. The agency is considering cooking classes, meals programs, and other efforts to fully utilize the space. Mr. Wallace thanked Chairman Shea for bringing community rooms to the attention of the Authority. Mr. Wallace will be working with Mr. Garvey to put together a budget to develop the spaces using in-house labor. Vice Chairman McMahon is glad that the agency is considering renovations for community rooms and commended Chairman Shea for his attention to this issue. Chairman Shea indicated that Commissioner Bernes has been heavily involved in working with the City View Towers tenant council, and they will be pleased with progress in the community rooms. Chairman Shea has confidence in Laura Watts, Capital Asset Manager for getting the community room project completed.

## **EXECUTIVE DEPARTMENT**

### **7.1.1 MOTION TO APPROVE A RESOLUTION FOR THE LOWELL HOUSING AUTHORITY TO ENTER INTO A PROMISSORY NOTE WITH THE REVITALIZATION EFFORT TOWARDS NEW URBANISM (RENU) AND ISSUE A LOAN TO RENU IN THE AMOUNT OF \$60,000.00 FOR THE DEMOLITION OF 35 DECATUR STREET**

Chairman Shea asked that the Executive Director provide comments on the motion. Mr. Wallace reported that this motion is a request made by the RENU Board for anticipated expenses over the next couple of months. The majority of the \$60k is for the demolition of the Decatur Street property that RENU owns. In addition to the approximately \$30k for demolition there is the potential for a \$7,500 application the RENU will have to file with Mass Housing for the Julian Steele project completion, along with approximately \$5,000 for market studies, and legal expenses. There is a stipulation that the loan would be paid back within 6 months with 5% interest.

Commissioner Howard thanked Ms. Giblin and Mr. Garvey for their finance subcommittee presentation.

A motion to approve was made by Vice Chairman McMahon and seconded by Commissioner Bernes

A roll call vote was taken with the following results:

Yeas: Vice Chairman McMahon, Chairman Shea, Commissioner Bernes, Commissioner Howard

Nays: None

The Chairperson declared the motion carried and the vote adopted.

### **7.1.2 MOTION TO APPROVE A RESOLUTION FOR THE LOWELL HOUSING AUTHORITY TO ADOPT WAIVERS AND ALTERNATIVE PROCESSES FOR CERTAIN REGULATORY AND STATUTORY REQUIREMENTS OF THE LOW RENT PUBLIC HOUSING AND HOUSING CHOICE VOUCHER PROGRAMS IN ACCORDANCE WITH THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT AND HUD NOTICE PIH 2020-05**

Chairman Shea asked that the Executive Director provide comments. Mr. Wallace reported that this is an opportunity that HUD has granted to Housing Authority's because of the Relief Act, to curtails some day-to-day actions with respect to rent collections, inspections, reexaminations, among other administrative

tasks. This is a waiver the Authority is taking advantage of in case there is a need. This protects the agency in case the agency falls behind in certain administrative tasks.

A motion to approve was made by Vice Chairman McMahon and seconded by Commissioner Bernes

A roll call was taken with the following results:

Yeas: Vice Chairman McMahon, Chairman Shea, Commissioner Bernes, Commissioner Howard

Nays: None

The Chairperson declared the motion carried and the vote adopted.

### **7.1.3 MOTION TO REFER THE LOWELL HOUSING AUTHORITY'S BY-LAWS TO THE BY-LAW SUBCOMMITTEE FOR REVIEW AND FORMAL AMENDMENT**

Chairman Shea explained that the last time the LHA's by-laws were emended was in 2013 and the agency should consider amending them. Chairman Shea recognized Attorney Kevin Murphy to comment on amending the LHA's by-laws.

Attorney Murphy mentioned that there are a couple of reasons to consider amending the by-laws. The first, is to consider the subcommittees and their relevance. In addition, there are some technical issues that will limit authority actions. Attorney Murphy suggested reviewing the by-laws to make recommendations for changes.

Chairman Shea commented that it was brought to his attention by the Assistant Executive Director that to streamline the number of Committees from the current number of 10 down to Mr. Garvey's recommendation of 5 subcommittees necessitates a by-law change, which Chairman Shea will work on with the By-Law Sub Committee and LHA General Counsel Kevin Murphy. Furthermore, the agency has discussed moving the meeting from the Mercier Center to other locations, which would also require changes to the by-laws. Chairman Shea reported that the current by-law subcommittee includes himself, Commissioner Howard, Dr. Wallace, and Andrew Rocha. This group will meet and discuss with General Counsel to meet back in June.

Vice Chairman McMahon commented that he thinks that it is a great idea to consider moving the meetings to other locations to inform residents.

A motion to approve was made by Vice Chairperson McMahon and seconded by Commissioner Bernes

A roll call was taken with the following results:

Yeas: Vice Chairman McMahon, Chairman Shea, Commissioner Bernes, Commissioner Howard

Nays: None

The Chairperson declared the motion carried and the vote adopted.

### **7.1.4 MOTION TO ACCEPT AN AMENDMENT (#12) TO THE STATE CAPITAL IMPROVEMENT PROJECT FUND GRANT**

Chairman Shea asked for Mr. Wallace to provide comments. Mr. Wallace reported that this to formally accept 4 grant fund awards. Mr. Goldfield explained that the Board must accept grant funds from DHCD. This amendment is for bonds for next year to assign the funds to LHA.

A motion to approve was made by Commissioner Bernes and seconded by Commissioner Howard

A roll call was taken with the following results:

Yeas: Vice Chairman McMahon, Chairman Shea, Commissioner Bernes, Commissioner Howard

Nays: None

The Chairperson declared the motion carried and the vote adopted.

### **7.1.5 MOTION TO APPROVE RENT COLLECTION POLICY FOR STATE-AIDED PUBLIC HOUSING PROGRAM**

Mr. Wallace explained that DHCD is requiring for the first time that a rent collection policy be included in the orientation packet. The agency has a rent collection policy in the lease, but the agency now needs to have it as a separate policy.

Chairman Shea asked about the status of rent collections. Mr. Wallace explained that rent collection has been generally consistent. Ms. Giblin explained that the agency does a monthly analysis but has not reviewed tenant account receivables for the month of April. Chairman Shea asked that the agency consider the challenges experienced by residents at this time with respect to rent.

A motion to approve was made by Commissioner Howard and seconded by Commissioner Bernes

A roll call was taken with the following results:

Yeas: Vice Chairman McMahon, Chairman Shea, Commissioner Bernes, Commissioner Howard

Nays: None

The Chairperson declared the motion carried and the vote adopted.

### **8. OLD BUSINESS**

None

### **9. NEW BUSINESS**

Chairman Shea asked that the agency Consultant, Mary Ann Maciejewki, give a one-year assessment of the LHA's 5-year plan possibly at the July Board meeting. Mr. Wallace explained that the agency will provide an update on the 5-year plan.

### **ADJOURNMENT**

A motion was made by Commissioner Howard and seconded by Vice Chairman McMahon.

A roll call was taken with the following results:

Yeas: Vice Chairman McMahon, Chairman Shea, Commissioner Bernes, Commissioner Howard  
Nays: None

The Chairperson declared the motion carried and the vote adopted.

**Meeting adjourned: 6:00pm**

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**Secretary**