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LOWELL HOUSING AUTHORITY
BOARD OF COMMISSIONERS MEETING
NOVEMBER 10, 2021

Mercier House
21 Salem Street
Lowell, Massachusetts

--- Reported by Jacqueline P. Travis ---

1 Board of Commissioners:

2 Philip L. Shea, Chairman

3 Robert McMahon, Vice Chairperson

4 Joanie L. Bernes, Commissioner

5 Mony Var, Commissioner

6 Matt Marr, Commissioner

7

8 Lowell Housing Committee:

9 Gary K. Wallace, Executive Director

10 Adam J. Garvey, Assistant Executive Director,

11 Chief Operating Officer

12 Sherry Giblin, Chief Financial Officer

13 Kevin J. Murphy, General Counsel

14

15 Presentations by:

16 Rita Brousseau, Chief Procurement Officer

17 Laura Watts, Capital Asset Manager

18 Jonathan Goldfield, Capital Asset Manager

19 Tha Chhan, Director of Leased Housing

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P-R-O-C-E-E-D-I-N-G-S

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2
3 Mr. Shea: Thank you very much. As I was
4 saying, general counsel, Attorney Kevin Murphy is
5 present. Thank you. So is the director, chief
6 financial officer.

7 Welcome to the Board of Commissioners
8 meeting on Wednesday November 10th, 5 o'clock. With
9 that being the case, I will ask the clerk to call the
10 roll.

11 Mr. Wallace: Commissioner Marr.

12 Mr. Marr: Here.

13 Mr. Wallace: Vice Chairman McMahon.

14 Mr. McMahon: Here.

15 Mr. Wallace: Chairman Shea.

16 Mr. Shea: Present.

17 Mr. Wallace: Commissioner Bernes.

18 Ms. Bernes: Here.

19 Mr. Wallace: And Commissioner Var.

20 Mr. Var: Yes.

21 Mr. Wallace: Five present.

22 Mr. Shea: Thank you.

23 The first item on the agenda is approval of
24 the minutes of the meeting on October 13th. I don't

1 know if anyone's had a chance to read the minutes. I
2 can speak for myself and tell you that I have not had
3 the opportunity to. I think the Chair would
4 entertain a motion to postpone the action on approval
5 of the minutes of the meeting until next we meet. So
6 motion made by Vice Chairperson McMahon, and seconded
7 by Commissioner Bernes to postpone action for the
8 acceptance of the minutes of the meeting until the
9 next meeting, which I believe is going to be held on
10 Wednesday, October 8th.

11 Mr. Wallace: December 8th.

12 Mr. Shea: Thank you very much, December --
13 that's what I'm saying, December 8th. So with that
14 being the case, would you call the roll, please.

15 Mr. Wallace: Commissioner Marr.

16 Mr. Marr: Yes.

17 Mr. Wallace: Vice Chairman McMahon.

18 Mr. McMahon: Yes.

19 Mr. Wallace: Chairman Shea.

20 Mr. Shea: Yes.

21 Mr. Wallace: Commissioner Var.

22 Mr. Var: Yes.

23 Mr. Wallace: And Commissioner Bernes.

24 Ms. Bernes: Yes.

1 Mr. Wallace: That's five yeas.

2 Mr. Shea: Item Number 2 is the resident
3 correspondence.

4 Mr. Wallace: None present.

5 Mr. Shea: Nothing before us for Item 3.

6 The fourth item is the subcommittee report.
7 Do we have any reports of any members of the
8 subcommittee?

9 Hearing none, Item Number 4 is fine.

10 Next item is the the finance and audit
11 report, and we have present our Chief Financial
12 Officer, Sherry Giblin, will give us the report.
13 Mrs. Giblin.

14 Ms. Giblin: Thank you, Mr. Chairman.

15 The operating budget has been provided to
16 the Board. The State Programs include our Mass
17 Chapter 667, Elderly Development; Chapter 705, Family
18 Development; and Chapter 689, Community Residences;
19 and Massachusetts Rental Voucher Program.

20 The main sources of income include tenant
21 rent and DHCD funded operating subsidy. Major
22 expense items include maintenance labor, utilities,
23 property maintenance and betterments, and landlord
24 payments.

1 For the state consolidated program DHCD has
2 increased subsidy by 4 percent for fiscal year '22.
3 In real dollars this is an increase in funding of
4 approximately \$31,000. The state makes out
5 approximately 10 percent of our entire portfolio.
6 Although this program is projected to realize an
7 operating gain of 16,000, the program has maximized
8 its annual nonutility expense level for fiscal year
9 '22.

10 In addition, the program has maximized its
11 administrative salaries. A portion of the assistant
12 property manager's salary is allocated out to the
13 Transitional Housing Program. Without this
14 allocation in place, the program would exceed its
15 allowable salary cap.

16 DHCD has also provided direct cost
17 reimbursement exemptions for a resident service
18 coordinator in the amount of \$40,000, and the state
19 self-sufficiency program for 70,000. These are both
20 direct reimbursable grants that flow through our
21 subsidy.

22 DHCD has also mandated that we use 62,000 of
23 our reserves to cover the cost of a handicapped unit
24 as part of our Mod-Phase grant at our Lakeview Ave.

1 development. In addition, we are mandated to
2 contribute 32,000 from our reserves for the Dublin
3 Street federalization project.

4 The 689 community residences will see a
5 slight rent increase in fiscal year '22 due to a
6 Social Security COLA being made available. The
7 program is projected to realize minimal gain for
8 fiscal year '22.

9 Our MRVP program's major revenue stream is
10 administrative fees earned for each voucher leased.
11 DHCD administrative fees remain at \$50 per unit in
12 fiscal year '22. MRVP vouchers increased in fiscal
13 year '21 from 155 to 158 vouchers in fiscal year '22.
14 This program does not have any capital assets or
15 infrastructure. The main expenses include personnel
16 and office overhead. The program is projected to
17 realize a gain of \$39,000.

18 State year-end operating statements have
19 also been provided to the Board for their review.
20 DHCD requires that all Housing Authorities have their
21 Board sign year-end certification forms. These
22 certifications include certification of compliance
23 with notification procedures for federal and state
24 lead paint laws. Certification is the top five

1 compensation form and certification of year-end
2 financial statements and tenant account receivable
3 data, which have all been provided to the Board.

4 These certifications must be submitted to
5 DHCD by November 30th.

6 The finance department continues to work on
7 closing the books for the fiscal year ending
8 September 30th, 2021. Unaudited financials will be
9 presented to the Board at the December meeting.

10 At this time I'll open up to any questions
11 from the Board.

12 Mr. Shea: Thank you very much, Mrs. Giblin,
13 for your report. Any questions for the chief
14 financial officer pertaining to what she's presented
15 from any member of the Board?

16 Hearing none, I have a couple of items.
17 Thank you for your presentation. With respect to
18 what you gave us in the packet, are we to sign the
19 certificates?

20 Ms. Giblin: I have them here for you to
21 sign. I just gave you a sample so you could see it
22 ahead of time what you were going be signing. But I
23 have the actual document that I'll have you sign
24 after the meeting.

1 Mr. Shea: So the copies that we have are
2 copies that you have.

3 Ms. Giblin: Yes.

4 Mr. Shea: So all five members signed.

5 Ms. Giblin: Correct.

6 Mr. Shea: That's been the procedure.

7 Ms. Giblin: Always, yes.

8 Mr. Shea: I noticed that -- thank you. So
9 did you want us to sign it now? Do you wish us to
10 sign it now?

11 Ms. Giblin: I can have you sign it after
12 the meeting.

13 Mr. Shea: Okay. Thank you.

14 Ms. Giblin: Thank you.

15 Mr. Shea: Other than that, we've gone
16 through these numbers, and I think it's safe to say
17 in an exhaustive manner and once again, we've had
18 discussions on what was presented by the chief
19 financial officer in the past and she continues to do
20 a great job dealing with her responsibilities to the
21 Authority. And so I just thought it'd be nice to put
22 that into the minutes because in a few years from now
23 she can read the minutes and say I said something
24 nice about her.

1 Ms. Giblin: Thank you.

2 Mr. Shea: Thank you. So with that being
3 the case, there's a motion by Commissioner Bernes,
4 seconded by Commissioner Var to accept the report of
5 the chief financial officer. With that being the
6 case, the clerk will call the roll.

7 Mr. Wallace: Commissioner Marr.

8 Mr. Marr: Yes.

9 Mr. Wallace: Vice Chairman McMahon.

10 Mr. McMahon: Yes.

11 Mr. Wallace: Chairman Shea.

12 Mr. Shea: Yes.

13 Mr. Wallace: Commissioner Var.

14 Mr. Var: Yes.

15 Mr. Wallace: And commissioner Bernes.

16 Ms. Bernes: Yes.

17 Mr. Wallace: Five yeas.

18 Mr. Shea: Okay. Thank you.

19 The next item on the agenda is Item number
20 -- I'm sorry. The next item is the report of the
21 executive director.

22 Mr. Wallace: Sure. Mr. Chairman, briefly
23 tonight I just wanted to give the Board an update on
24 some of the budget initiatives and several hirings,

1 that new positions that were established and have
2 taken place.

3 Recently we hired a new health and wellness
4 advisor, a nurse, registered nurse for the City of
5 Lowell named Paula Gouveia who's going to be starting
6 on Monday, November 15, working with me in a
7 consultation basis to do health surveys and get some
8 baseline of what the residents' needs are going
9 forward in light of what's happening with the
10 pandemic and other issues that the Housing
11 Authority's experiencing. I thought, the Board
12 thought it was prudent to bring on board somebody
13 with this type of background and education, so Paula
14 will be starting officially on Monday.

15 In addition to that we had also, the Board
16 had also wished that we bring on a part-time HR
17 generalist, and we did conduct several interviews,
18 myself, Adam Garvey and Sherry GIBLIN, and we did
19 decide on a person, Donna Toohey, who comes to us
20 with a background of 20 plus years working in HR.
21 Most recently she's been in a manufacturing facility
22 in Billerica. And she just has an extensive
23 background and good rapport with the clientele that
24 we'll dealing with services. So she's going to be

1 starting on November 29th I believe. So I'm pleased
2 report that Donna Toohey is coming aboard as well.

3 Mr. Shea: What was the name of that person?

4 Mr. Wallace: Donna Toohey.

5 Mr. Shea: How do you spell the last name?

6 Mr. Wallace: T-O-O-H-E-Y.

7 Mr. Shea: Thank you.

8 Mr. Wallace: And also one of the other
9 initiatives in there was to bring another assistant
10 manager aboard to assist with CAM 4, and we've done
11 that and we actually did it on promoting someone
12 internally, Virak Vong, who's presently a housing
13 technician here at the North Common Villages, going
14 to be working as an assistant property manager with
15 Denise Ryan effective this Monday, November 15th as
16 well.

17 The other item, and I indicated in an email
18 to Chairman Shea and Commissioner Var, we continue
19 going down the path looking for office space for the
20 admissions office. I had indicated that it was a
21 request from a number of the proposals to move that
22 out from a November 8th due date to November 19th.
23 Those are due next Friday, November 19th. There will
24 be an evaluation committee and we're still on track

1 of bringing a recommendation to the Board for the
2 December 8th board meeting date.

3 Mr. Shea: I thank you for that report. I
4 invite the commissioners, if they have any questions
5 to the executive director pertaining to his
6 announcements. If not, I'd like to -- we've got the
7 relocation of the -- is it on? I have to speak up.

8 Mr. Wallace: Oh yeah.

9 Mr. Shea: I need the mic more than you do.
10 But the relocation of the admissions office
11 we're talking about. We're going to be reporting to
12 you.

13 Mr. Wallace: You should be voting on a
14 location at the next meeting. There's usually a
15 recommendation before you as to which property to
16 choose that best suits the needs of the leasing
17 office.

18 Mr. Shea: Okay. The consultant that we
19 hired, according to what you indicated here, he had
20 to back away.

21 Mr. Wallace: Right. He felt as though
22 there might be a conflict of interest because he is
23 going to represent a couple of properties that he's
24 actually going to bring forward. In addition there

1 will be other outside landlords, over 20 people from
2 what I saw today, over 20 realtors have taken out
3 packages and going to be submitting on this are at
4 least interested in submitting on it, but our
5 consultant felt that he should step away and not be
6 in that capacity advising us any further because he's
7 bringing properties forward to which they'll pay him.

8 Mr. Shea: So the report comes in, goes to
9 -- Mony, goes to you guys, to the director. You're
10 going to make an announcement as to the lease which
11 would hopefully be by --

12 Mr. Wallace: So Procurement Officer
13 Brousseau will set up an evaluation committee which
14 will probably -- going to talk about members today,
15 will probably consist of Sherry, Tha, and we'll come
16 up with a third employee that makes sense to evaluate
17 those proposals, because they're ranked. Certain
18 properties might be more advantageous than others.
19 Location, readiness, et cetera. So they'll make a
20 recommendation to the Board and the Board will vote
21 on that in the December 8th meeting.

22 Mr. Shea: Okay. So it's going to come from
23 -- it's actually coming from you, your committee.

24 Mr. Var: Mm-hmm.

1 Mr. Shea: Okay. I'm anxious to get the
2 thing started because these things sometimes can get
3 delayed. And since we have the -- since we have a
4 desire to do it today, I wouldn't want that to wane
5 as we move into the holiday season, assuming the
6 better. But then I don't know what the proposal is
7 going to be. You know.

8 Mr. Wallace: We don't know. Right? We'll
9 be opening them on the 19th. The committee will
10 evaluate them and bring forth a recommendation to the
11 Board.

12 Mr. Shea: You're satisfied with that?

13 Mr. Wallace: Yeah, I believe Rita can
14 probably attest to this too, that we're guaranteed
15 pretty much there will be competition. There will
16 be --

17 Ms. Brousseau: I did already receive a bid,
18 but the gentleman, because of the extension, took it
19 back, will bring it back and revise it. We do have
20 --

21 Mr. Shea: They got terms. Will counsel
22 have an opportunity to look at that?

23 Mr. Wallace: Yes, a lease will have to be
24 signed, so our general counsel will have to go over

1 the terms and conditions.

2 Mr. Shea: And with the holiday,
3 Thanksgiving day, will we have enough time to get
4 that ready for the next meeting?

5 Mr. Murphy: Sure.

6 Mr. Shea: Sure. Okay, Kev.

7 Another item I wanted to mention is job
8 listings. Did you mention that the union requested
9 the jobs to be filled?

10 Mr. Wallace: They requested two positions,
11 we were able to fill one. We're still out on the
12 junior electrician.

13 Mr. Shea: So the junior electrician is
14 requested, we're still looking.

15 Mr. Wallace: Correct.

16 Mr. Shea: Is that -- Gary, is that hard to
17 fill?

18 Mr. Wallace: It has been so far. We
19 reached out to the local unions, we reached out to --
20 actually to Louie Antonelli from the IBEW to help us
21 fill the position. We reached out to the vocational
22 school, and advertised. And so far it's very light
23 so.

24 Mr. Shea: Well I'm sure that the union

1 might know -- the finance committee met with them and
2 they were pretty -- you know, it's up to you.

3 Mr. Wallace: Yes, and they know that the
4 other laborer that has been brought forward is a
5 custodian, and that started. So we're 50 percent of
6 the way there and hopefully soon we'll fill the
7 position.

8 Mr. Shea: Third job was the human resource.
9 Is that a full-time position?

10 Mr. Wallace: It's a part-time position.

11 Mr. Shea: How many hours?

12 Mr. Wallace: Twenty hours a week.

13 Mr. Shea: So they qualify for benefits?

14 Mr. Wallace: Yeah, in this particular case
15 this person doesn't need the benefits. Yeah, we're
16 really pleased. It was a good fit and everybody felt
17 that way. So she'll be aboard in two weeks.

18 Mr. Shea: Okay. Okay. Well thank you very
19 much for those comments. I appreciate it being part
20 of the record. I think it's, once again, something
21 that the budget committee asked by the commissioners
22 to do these items. It's good to see -- I'm not
23 surprised the director has undertaken that ball. And
24 the budget debate of two months, and he's done it.

1 So that being the case, sometimes you should be asked
2 questions, maybe sometimes criticized. But his -- we
3 should recognize his efforts as being something
4 that's well done. It's in the best interest of the
5 Authority. The committee thanks you for your the
6 report.

7 Mr. Wallace: Yes.

8 Mr. Shea: With that being the case I will
9 ask for a motion by the Vice Chairperson McMahon,
10 seconded by Commissioner Var to accept the technical
11 committee's report, and the clerk will call the roll.

12 Mr. Wallace: Commissioner Marr.

13 Mr. Marr: Yes.

14 Mr. Wallace: Vice Chairman McMahon.

15 Mr. McMahon: Yes.

16 Mr. Wallace: Chairman Shea.

17 Mr. Shea: Yes.

18 Mr. Wallace: Commissioner Var.

19 Mr. Var: Yes.

20 Mr. Wallace: And Commissioner Bernes.

21 Ms. Bernes: Yes.

22 Mr. Wallace: That's five yeas.

23 Mr. Shea: Thank you.

24 Next time is Item Number 7.1.1, the motion

1 to approve the state consolidated operating budget
2 for the fiscal year ending September 30th, 2021.

3 Let's get this -- so we've already gone --
4 actually, have we not, Sherry, gone over the 7.1, 7.3
5 from the individual roll call votes, because we
6 accepted your comments with respect to the budget.

7 Ms. Giblin: The state requires a separate
8 vote for each one.

9 Mr. Shea: Okay. Thank you. I'm quite sure
10 that we've already had an opportunity to ask Mrs.
11 Giblin her thoughts on Item 7.1.1, 7.1.2, 7.1.3, so
12 we will take a roll call on each item to accomplish
13 that end result.

14 So with respect to 7.1.1, motion to approve
15 the state consolidated operating budget for fiscal
16 year ending September 30, 2021, the motion by
17 Commissioner Bernes, seconded by Mony Var, do you
18 accept?

19 Ms. Giblin: Excuse me, Mr. Chairman, I'm
20 just noticing on the agenda there is a typo. The
21 date should be for fiscal year ending September 30th,
22 2022.

23 Mr. Shea: Thank you for correcting that.
24 That makes a lot of sense. I think we've already

1 gone by September 2021.

2 Ms. Giblin: Yeah.

3 Mr. Shea: Okay. As I was saying a few
4 minutes ago, motion to accept -- approve Item 7.1.1,
5 consolidated operating budget for fiscal year ending
6 September 30th, 2022, and that motion is made by
7 Commissioner Joanie Bernes, seconded by Vice
8 Chairperson McMahon. With that being the case, the
9 clerk will call the roll.

10 Mr. Wallace: Commissioner Marr.

11 Mr. Marr: Yes.

12 Mr. Wallace: Vice Chairman McMahon.

13 Mr. McMahon: Yes.

14 Mr. Wallace: Chairman Shea.

15 Mr. Shea: Yes.

16 Mr. Wallace: Commissioner Var.

17 Mr. Var: Yes.

18 Mr. Wallace: Commissioner Bernes.

19 Ms. Bernes: Yes.

20 Mr. Wallace: That's five yeas.

21 Mr. Shea: The next item is Item
22 Number 7.1.2, motion to approve Chapter 689 program
23 operating budget for fiscal year ending
24 September 30th, 2022, it indicates 2021, and with

1 that being the case, motion is made by Vice
2 Chairperson McMahon, seconded by Committee Member
3 Var. And the clerk will call the roll.

4 Mr. Wallace: Commissioner Marr.

5 Mr. Marr: Yes.

6 Mr. Wallace: Vice Chairman McMahon.

7 Mr. McMahon: Yes.

8 Mr. Wallace: Chairman Shea.

9 Mr. Shea: Yes.

10 Mr. Wallace: Commissioner Var.

11 Mr. Var: Yes.

12 Mr. Wallace: And Commissioner Bernes.

13 Ms. Bernes: Yes.

14 Mr. Wallace: Five yeas.

15 Mr. Shea: Thank you.

16 Next item is Item Number 7.1.3, motion to
17 approve the Massachusetts rental voucher program
18 operating budget fiscal year ending September 30th,
19 2022, marked as 2021. With that being the case,
20 we've had full discussion on that. Commissioner
21 Joanie Bernes makes a motion, seconded by
22 Commissioner Mony Var to accept the motion to approve
23 Item 7.1.3. The clerk will call the roll.

24 Mr. Wallace: Commissioner Marr.

1 Mr. Marr: Yes.

2 Mr. Wallace: Vice Chairman McMahon.

3 Mr. McMahon: Yes.

4 Mr. Wallace: Chairman Shea.

5 Mr. Shea: Yes.

6 Mr. Wallace: Commissioner Var.

7 Mr. Var: Yes.

8 Mr. Wallace: And Commissioner Bernes.

9 Ms. Bernes: Yes.

10 Mr. Wallace: Five yeas.

11 Mr. Shea: Thank you.

12 Okay. The next time is Item Number 7.1.4,
13 motion to approve a change order to order number 1
14 fish, new gutters, paint trim in the amount of \$4,245
15 to the Aulson Company, LLC, Methuen, Massachusetts.

16 So we have Item Number 7.1.4. I noticed
17 that we have our chief procurement officer here, Rita
18 Brousseau. Any questions on this item for chief
19 procurement officer? Hearing none, accept the motion
20 by Commissioner Mony Var, seconded by Vice
21 Chairperson McMahon to accept Item Number 7.1.4, and
22 the clerk will call the roll.

23 Mr. Wallace: Commissioner Marr.

24 Mr. Marr: Yes.

1 Mr. Wallace: Vice Chairman McMahon.

2 Mr. McMahon: Yes.

3 Mr. Wallace: Chairman Shea.

4 Mr. Shea: Yes.

5 Mr. Wallace: Commissioner Var.

6 Mr. Var: Yes.

7 Mr. Wallace: Commissioner Bernes.

8 Ms. Bernes: Yes.

9 Mr. Wallace: That's five yeas.

10 Mr. Shea: Thank you.

11 The next Item is 7.1.5, motion to accept
12 project closeout documentation for South Common
13 Village site improvements and approve final payment
14 in the amount of \$78,621 to Sunshine Paving
15 Corporation, North Chelmsford. We have that before
16 us, Item Number 7.1.5, and also present is capital
17 asset manager Laura Watts who wrote a extensive
18 report on this item. I noticed Mrs. Watts is here.
19 Is there any questions -- first of all, is there
20 anything you'd like to present to the committee? Or
21 is this self-explanatory.

22 Ms. Watts: That's self-explanatory.

23 Mr. Shea: Okay. Thank you. Any questions
24 for Ms. Watts with respect to her report on this

1 item? No Commissioners have any questions. I just
2 have one question. Thank you very much for your
3 report. I did have a chance to read it and it's
4 pretty thorough. And the only question I wanted to
5 ask you is that the change order really is not --
6 first I thought it was a change order for the total
7 amount, 78,000. It's really not a change order for
8 78,000. That's not a change order because part of
9 that is a payment that was due on the original
10 contract.

11 Ms. Watts: Correct. There is no additional
12 cost associated with this change order. It is time.
13 It is only time.

14 Mr. Shea: So the change order amount,
15 Laura, if I read it correctly -- it's a little
16 confusing to say the least.

17 Ms. Watts: Yeah, I'm not sure why it's
18 coming up as a change order. It's a certificate of
19 final completion.

20 Mr. Shea: Right.

21 Ms. Watts: And it just extends the time of
22 the contract so that we could finish the other tasks.

23 Mr. Shea: But the change order itself is
24 for \$25,420.

1 Ms. Watts: No, that's previously been
2 approved. So those were in past sessions. We're
3 simply here to say that the project is completed to
4 our satisfaction and release the retainage which is
5 that \$78,000 amount.

6 Mr. Shea: Okay.

7 Ms. Watts: That \$25,000 in change order
8 came before the Board previously.

9 Mr. Shea: Okay. So that was in the first
10 payout.

11 Ms. Watts: It was as a part of a regular
12 invoice. They have to -- I think this is perhaps
13 payment number five or six. They were maybe payment
14 two or three. Somewhere around there. But those did
15 come to the Board for approval as standalone change
16 orders. And they're just reflected there on a line
17 item to be identified as outside the original
18 contract.

19 Mr. Shea: Okay. Well that's well spoken.
20 Thank you for clarifying that, for me anyhow. I
21 don't know about any other member of the board.
22 That's fine. Thank you for your report and it really
23 was an amazing -- it was an amazing amount of work
24 that was done. I hope everyone appreciates it.

1 Okay. Thank you for your report.

2 Ms. Watts: Thank you.

3 Mr. Shea: Any other question by any
4 commissioner? Hearing none, I'll make the motion
5 made by Vice Chairperson McMahon, seconded by
6 Commissioner Bernes to accept Item Number 7.1.5. The
7 clerk will call the roll.

8 Mr. Wallace: Commissioner Marr.

9 Mr. Marr: Yes.

10 Mr. Wallace: Vice Chairman McMahon.

11 Mr. McMahon: Yes.

12 Mr. Wallace: Chairman Shea.

13 Mr. Shea: Yes.

14 Mr. Wallace: Commissioner Var.

15 Mr. Var: Yes.

16 Mr. Wallace: And Commissioner Bernes.

17 Ms. Bernes: Yes.

18 Mr. Wallace: That's five yeas.

19 Mr. Shea: Thank you.

20 The next time is Item Number 7.1.6, motion
21 to accept the recommended -- recommendation of the
22 rejection of the bid submitted by Encore -- I'm not
23 sure if I'm reading that correctly. Let me just read
24 what it says. Motion to accept recommended rejection

1 of the bid submitted by Encore Contracting Service,
2 Lawrence, Mass. It's not eligible for federalization
3 of Dublin Street received on October 20th. So with
4 that I want to ask any member of the Board if they
5 have any questions. I will just let you know, I have
6 some questions. Like can someone just come up and
7 explain this to us?

8 Ms. Brousseau: So what you have --

9 Mr. Shea: Just going back and forth.

10 Ms. Brousseau: What you have before you is
11 a motion to reject the low bidder. So under the
12 direction of DHCD this project went out to bid and we
13 received three bids. The low bidder, after having
14 done an extensive search, the designer did extensive
15 research on the references of the low bidder.
16 Although they have the capacity to do what they've
17 currently been doing, they don't seem to think they
18 have the capacity to do what we need them to do,
19 which is rehabbing kitchens and baths of occupied
20 units. So we are asking for a rejection of the low
21 bidder in order to award to the next bidder. The
22 next lowest bidder.

23 Mr. Shea: Okay. So that's the procedure?

24 Ms. Brousseau: Correct.

1 Mr. Shea: Attorney Murphy, do you agree
2 with that?

3 Mr. Murphy: I really think this is an
4 administrative decision. This should have been made
5 prior to the meeting.

6 Ms. Brousseau: Agreed. However the HD --

7 Mr. Murphy: I'm not finished yet.

8 Ms. Brousseau: Sorry.

9 Mr. Murphy: I'm not finished yet. But is
10 it your opinion that the bid did not comply with the
11 bid documents?

12 Mr. Wallace: It complied with them, but
13 it's the references. I mean, I think they dotted all
14 the i's and crossed all the t's, but in the
15 references it didn't appear that they could
16 performed.

17 Mr. Murphy: Okay. So it's the
18 administration's opinion that we should reject that
19 bid.

20 Mr. Wallace: That's right.

21 Mr. Murphy: Okay. That should be made by
22 the administration. I don't have a problem with the
23 Board voting on it. I mean, I don't think we really
24 have to bring it to the Board. You can make that

1 decision on your own. But with that said, the
2 administration feels that the bid should go forward,
3 so I don't have a problem with you voting to reject
4 the bid. But in the future I think we'll just do it
5 on our own and then bring in the award.

6 Mr. Wallace: Okay. Yeah, in total
7 agreement with you. I think that is the norm, but
8 for some reason DHCD in this case requires a Board
9 vote.

10 Mr. Murphy: Really?

11 Mr. Wallace: Correct. That's my
12 understanding, it requires a Board vote to reject.

13 Mr. Murphy: I never heard that before.

14 Mr. Wallace: So normally we would take your
15 advice and reject it.

16 Mr. Murphy: All right. If you want to,
17 yeah. And that's based upon the administration's
18 review and recommendation, is that you should reject
19 the bid. And then the next vote is going to -- the
20 good thing about this though is the next vote is
21 going to be awarded to somebody else, so it will be a
22 vote.

23 Mr. Shea: Thank you for that explanation.
24 I know it's a first time for everything, and this is

1 the first time I had to read a motion to reject
2 something. I was like was I really reading this
3 correctly, but okay.

4 So with that being the case, thank you for
5 the clarification. At least I'll speak for myself,
6 because I was like am I reading this correctly. So
7 with that being the case, is everyone satisfied that
8 this is the right thing, Mr. Director?

9 Mr. Wallace: Yes.

10 Mr. Shea: Thank you. With that being the
11 case I will offer a motion by Commissioner Mony Var
12 and seconded by Vice Chairperson McMahon to accept
13 Item Number 7.1.6, which is to reject -- which is to
14 reject the bid. So with that being the case, yes
15 vote would be rejection. I will ask the clerk to
16 call the roll. Thank you.

17 Mr. Wallace: Commissioner Marr.

18 Mr. Marr: Yes.

19 Mr. Wallace: Vice Chairman McMahon.

20 Mr. McMahon: Yes.

21 Mr. Wallace: Chairman Shea.

22 Mr. Shea: Yes.

23 Mr. Wallace: Commissioner Var.

24 Mr. Var: Yes.

1 Mr. Wallace: And Commissioner Bernes.

2 Ms. Bernes: Yes.

3 Mr. Wallace: Five yeas.

4 Mr. Shea: Thank you.

5 Moving on to accepting the bid, and -- well
6 I'll ask any member of the Board that has any
7 questions about Item Number 7.1.7, if they have any
8 questions of our professional purchasing agent here.
9 Hearing none, I have a couple questions.

10 I don't know, I got to just speak for myself
11 because I talked to Jonathan just a little bit coming
12 into the meeting and I found the information that you
13 gave us to be suffocating. Speaking for myself. You
14 read the report. When you get all through it you say
15 what did they just say? There's a lot to it.

16 So could you just tell us a little bit what
17 the architect said with respect to the company that's
18 being suggested here? Could you just kind -- for the
19 record. And this is really for the record. We can
20 have this conversation tomorrow at your office, but
21 it's good to say for the record, tell us why this is
22 the right vote.

23 The architect incidentally, I think, I think
24 you'll agree, Mr. Director, he writes a very glowing

1 report. A very glowing conclusion as to what should
2 happen here. Anyone that read the report, I'm sure
3 you will be very impressed by what the architect
4 said. But could you tell us a little bit, Mrs.
5 Brousseau, what this report says.

6 Ms. Brousseau: So having read exactly what
7 you have before you, the designer has done their due
8 diligence -- am I not on?

9 Mr. Shea: I can't hear you.

10 Ms. Brousseau: The designer has done their
11 due diligence, as they did with the low bidder who
12 was rejected. They had reached out to all of the
13 references for this second lowest bidder. And the
14 second lowest bidder was considered responsive and --
15 responsive and eligible to perform this project. And
16 has done projects this like in the past. I believe,
17 if I recall correctly, don't quote me on that, the
18 DHCD may have worked or the designer may have worked
19 with them in the past. I thought I read that. And
20 it is -- yeah, they were very confident that they
21 could work. And, again, just the references were
22 done by the designer. So I am reading exactly what
23 you're reading here and very confident in what they
24 had done in their due diligence to reach out to so

1 many different references.

2 Mr. Shea: There's ten units being redone.

3 Ms. Brousseau: I'm sorry, say that again.

4 Mr. Shea: Let me ask you the question. How
5 many units are being redone?

6 Ms. Brousseau: Off the top of my head, ten.

7 Mr. Shea: Yes. The price is what, \$50,000
8 a unit. A year and a half ago we had a person who
9 worked for Suffolk Francis Gatehouse, and it was
10 \$60,000 a unit. So what's the difference between
11 work being done in this unit -- but even better, skip
12 the change -- forget that question.

13 You're satisfied with the contract as being
14 made?

15 Ms. Brousseau: Yes.

16 Mr. Shea: Gary?

17 Mr. Wallace: Yes.

18 Mr. Shea: It's very well thought out in
19 this memo and I had a hard time digesting it, but
20 it's on the record.

21 Jonathan, anything you want to add?

22 Mr. Goldfield: Well the notable difference
23 is that we had to comply with a number of United
24 States HUD updates that we haven't had to do with the

1 other projects. So there's things that are added to
2 it, that's a big component to this. The other piece
3 is one unit is a handicapped unit, an accessible unit
4 that is being totally brought up to code. Whereas
5 the prior project didn't have that. So this is
6 probably the major differences on these ten units.
7 Out of ten, one is accessible.

8 Mr. Shea: When you get done paying off the
9 500,000 plus dollars, how much do we have in our
10 capital account after that?

11 Mr. Goldfield: On this current year, the
12 remaining would be about 90,000. But there will be
13 another infusion, if will you, the next fiscal
14 allowance for capital funds.

15 Mr. Shea: Okay. But we have over \$90,000
16 in an account after this contract is drawn down.

17 Mr. Goldfield: In the capital improvement
18 plan for the whole agency, yes. For state funds,
19 yeah.

20 Mr. Shea: And when you are all done, at the
21 end of the fiscal year you can transfer those
22 surpluses to the next year if you have them?

23 Mr. Garvey: For the MOD money?

24 Mr. Goldfield: No. No. What we're doing

1 -- the MOD -- some of it's grants, some of it is
2 formula funding.

3 Mr. Shea: What's the expiration date?

4 Mr. Goldfield: It rolls forward.

5 Whatever's remaining does roll. It's not grant money
6 that's supporting the grant, it's formula funds. It
7 does roll, as I understand it.

8 Mr. Shea: Okay. Well I'm going to move on
9 because we can talk about it later. Everybody's
10 satisfied with this project and it seem's as though
11 we're getting a good bang for our buck compared to a
12 year and a half ago.

13 Mr. Wallace: \$10,000 less per unit. Right.

14 Mr. Shea: Any other question by a
15 commissioner? Hearing none, I accept the motion by
16 Vice Chairperson McMahan, seconded by Commissioner
17 Mony Var on 7.1.7. The clerk will call the roll.

18 Mr. Wallace: Commissioner Marr.

19 Mr. Marr: Yes.

20 Mr. Wallace: Vice Chairman McMahan.

21 Mr. McMahan: Yes.

22 Mr. Wallace: Chairman Shea.

23 Mr. Shea: Yes.

24 Mr. Wallace: Commissioner Var.

1 Mr. Var: Yes.

2 Mr. Wallace: And Commissioner Bernes.

3 Ms. Bernes: Yes.

4 Mr. Wallace: Five yeas.

5 Mr. Shea: Thank you.

6 The next time on the agenda is 7.1.8, motion
7 to accept the project closeout documentation for
8 Highland Parkway, and approve final payment in the
9 amount of \$20,433 to Ambient Temperature Corporation,
10 Newburyport, Massachusetts.

11 With that being the case, I see Capital
12 Asset Manager Jonathan, do you want to come up and
13 speak on this, please? Yes, would you give us a
14 brief summary of what we have.

15 Mr. Goldfield: This project was replacing
16 the rooftop heat ventilation control systems at 580
17 Chelmsford Street, which is a multi-purpose
18 maintenance office and community room at 580
19 Chelmsford Street. So there were two large rooftop
20 units that were hoisted off the roof and replaced
21 with ground mounted split air conditioning and heat
22 pump systems as well as -- that building actually
23 used to house a laundry when it was first built and
24 there were two massive water tanks that were replaced

1 with one 40-gallon tank which is a great improvement.

2 So that project was completed back in July
3 of 2020, actually on time. But there was a
4 controller that needed to be installed, winter set in
5 and it got completed -- actually that was actually a
6 small finish up after substantial completion. The
7 system was completely operational in July of 2020.
8 We had to do some finish up after the pandemic hit,
9 everybody split for the winter. So that finally got
10 completed and we're finally closing this out. So
11 basically the retainage are just being paid out and
12 the balance of a small change order.

13 Also, the roof was repaired as well as part
14 of that project when the rooftop units came off so.

15 Mr. Shea: You're satisfied?

16 Mr. Goldfield: I am. The system works,
17 they have air conditioning. Works fine.

18 Mr. Shea: With that being the case, is
19 there a question by any member of the Board on Item
20 Number 7.1.8? Hearing none, the motion by
21 Commissioner Bernes, second by Commissioner Mony Var,
22 accepted 7.1.8. The clerk will call the roll.

23 Mr. Wallace: Commissioner Marr.

24 Mr. Marr: Yes.

1 Mr. Wallace: Vice Chairman McMahon.

2 Mr. McMahon: Yes.

3 Mr. Wallace: Chairman She.

4 Mr. Shea: Yes.

5 Mr. Wallace: Commissioner Var.

6 Mr. Var: Yes.

7 Mr. Wallace: And Commissioner Bernes.

8 Ms. Bernes: Yes.

9 Mr. Wallace: That's five yeas.

10 Mr. Goldfield: Thank you.

11 Mr. Shea: Thank you.

12 The item next item we have is Item
13 Number 7.1.9, motion to approve the flat rent
14 schedules effective October 15th, 2021. And there --

15 Mr. Wallace: Mr. Chairman, can I just amend
16 that? It's really effective November 15th. So that
17 was a typo on our part. That should be
18 November 15th.

19 Mr. Shea: Thank you. I noticed we received
20 this from our chief operating officer and I'll ask
21 him to explain this communication, please.

22 Mr. Garvey: Thank you, Mr. Chair. So each
23 year the Housing Authority must re-establish our flat
24 rents and the flat rents are an option that our

1 residents have in lieu of income-based rents.

2 So going back to the 2015, the Annual
3 Appropriations Act, HUD changed the regulation and
4 set the flat rents as a percentage of fair market
5 rents. So these flat rents are calculated at
6 80 percent of our fair market rents. It was further
7 supported by other HUD guidance or regulations.

8 So these flat rates are set at the current
9 fair market rent, 80 percent level. We also allow
10 for a private market study with a group called Go
11 Section 8. And they do a market study to justify
12 these rents and make sure these rents aren't going to
13 be too high based on local rent averages. And we
14 received that information back last week and it a
15 hundred percent supports these flat rents. Actually
16 the rents that we're seeing in the city of Lowell
17 very much exceed these flat rent amounts. So I do
18 believe that these flat rents are fair to our
19 residents and won't create a burden for those who
20 accept it.

21 Our residents are able to select this flat
22 rent either at the time of their admission or at the
23 time of their annual re-exam. And further should any
24 resident have any type of financial hardship because

1 of job loss or medical issues, they can then see
2 their property managers to downgrade from a flat rent
3 to income-based rent during the year so that they are
4 not financially harmed.

5 Mr. Shea: Thank you very much, Mr. Garvey,
6 for that presentation. Before I get into asking you
7 a question, I noticed Tha Chaan is here. I didn't
8 know if you had any input at all with respect to the
9 discussion.

10 Mr. Chaan: Thank you, Mr. Chairman. In
11 fact when HUD published -- they're usually right on
12 the dot. October 1st. That's when they published,
13 sometimes a few days before.

14 Mr. Shea: Pull the mic down, please.

15 Mr. Chaan: They usually publish the fair
16 market rent around the beginning of October.
17 Sometimes a few day before, sometimes a few day
18 after.

19 In this case the fair market rent increased
20 drastically. However, compared to the market rate,
21 was it the fair market rent when we are approximately
22 \$300 below the market rate in the city of Lowell. In
23 fact just today alone I checked the rent for a studio
24 on Middlesex Street, the company building --

1 apartment above Market Basket there. A studio cost
2 1,325. That's the low one. And the highest go up to
3 1,450.

4 So in this case 80 percent of the fair
5 market rent would just -- for a one bedroom about
6 1,049. Lowest is 1,400 for one bedroom. We way
7 below the market rate and we way below the fair
8 market rent. Yeah.

9 Mr. Shea: Thank you for those comments and
10 what you just said. I think a lot of us realize that
11 that's what you were going to say, but I thought it
12 was important to get it into the record with our
13 keeping the minutes, so.

14 Well first of all, I'll ask any commissioner
15 if they have any other questions that they would like
16 to ask our chief financial officer -- operating
17 officer. Sorry. Seeing none I think I speak for the
18 commissioners to say job well done. Thank you for
19 your presentation. With that being the case I will
20 ask for a motion by Vice Chairperson McMahon,
21 seconded by Commissioner Bernes to accept Item
22 Number 7.1.9, which is to approve the flat rent
23 schedule effective November 15th -- starting
24 effective November 15th, 2021.

1 The clerk will call the roll.
2 Mr. Wallace: Commissioner Marr.
3 Mr. Marr: Yes.
4 Mr. Wallace: Vice Chairman McMahon.
5 Mr. McMahon: Yes.
6 Mr. Wallace: Chairman Shea.
7 Mr. Shea: Yes.
8 Mr. Wallace: Commissioner Var.
9 Mr. Var: Yes.
10 Mr. Wallace: And Commissioner Bernes.
11 Ms. Bernes: Yes.
12 Mr. Wallace: Five yeas.
13 Mr. Shea: Okay. Now on Item Number 8, old
14 business. Is there anything that the director would
15 like to talk about, Item 8?
16 Mr. Wallace: Yeah, actually I did leave out
17 an item or two in my report. If I can just say that
18 I did want, if the Board hasn't noticed already, but
19 the City of Lowell and the Housing Authority worked
20 collaboratively to get the city to spend some CBG
21 funds on Suffolk Street since we put millions of
22 dollars into the North Common Village, and Suffolk
23 Street was a real mess to say the least. If you
24 noticed recently, they spent money over there paving

1 the sidewalks. They really look good. And we also
2 worked with them and a company called Greening the
3 Gateway, a project that Laura's been involved with.
4 So we're getting trees planted over there, et cetera,
5 so it's really going to mirror the nice landscaping
6 that we have over on Louis Street. Suffolk Street
7 will finally look a lot like that and it came
8 together, so I did want to recognize the city helping
9 us on that.

10 Also I did want to announce that there is
11 going to a meeting by the executive subcommittee that
12 our chairman's called, that's going to be November
13 the 18th with our attorney and our outside
14 consultant, and really start focusing on developing
15 the Merrimack Street corridor that we've been
16 involved in for a number of years, but we're really
17 going to start advancing that so Vice Chairman
18 McMahan and Chairman Shea will be at that.

19 And I did mention to the chairman that we
20 think we have a couple of items that we'd like to
21 bring to the finance subcommittee, so if you could
22 let us know when dates work so we can meet with the
23 finance subcommittee on a couple of items, I'd
24 appreciate that.

1 Mr. Shea: Would you explain to me exactly
2 how we have called the meeting on the 18th of
3 November?

4 Mr. Wallace: So obviously the Board and the
5 staff want to advance developing this Merrimack
6 Street corridor, and we were invited to participate
7 in a meeting, if that's where you're going, the city
8 and TDI talked about the neighborhood, et cetera.
9 And so we listened to them and we think that we can
10 be helpful to them, but we made it clear to them that
11 we didn't want to thwart any progress that we want to
12 make, and effort and money and time to spend in
13 developing this corridor. So we are going to quickly
14 meet next week so that we can start to establish what
15 our footprint of what we want to do in this
16 neighborhood and share that at a later time with the
17 city.

18 Mr. Shea: And Mr. Daniels, who is our
19 consultant, we thought it would be good if he could
20 meet with us to give us some guidance on that
21 particular development.

22 Mr. Wallace: Right.

23 Mr. Shea: So when he gave us the
24 information, he'd like to come up and have a meeting

1 with us. At that point I suggested that we invite
2 Vice Chairperson McMahon to the meeting, since he's a
3 member of the executive committee. And I suggested
4 in an email to you to invite the general counsel,
5 Kevin Murphy, in order that we all can understand a
6 little bit about what he says. He's very bright.
7 And when he had the meeting it gave -- I don't want
8 to say he gave a lecture. He's very bright. At that
9 particular meeting in participating he kind of
10 overtook the meeting. That's how bright the guy is.
11 And so it was always -- I said we've got to get him
12 up here to discuss this. So it was a convenient time
13 for us to have a meeting to discuss, to get his
14 thoughts about what the city wants us to do. Because
15 it's nice that the city asked us to participate in
16 this new development up here, but what they forget to
17 tell us, and I told you and Adam about this this
18 afternoon, I was asked to serve on the community
19 preservation committee, and anybody who wants that
20 sign, it can happen incidentally. Commissioner
21 McMahon's laughing. It's a workout. And much to my
22 surprise at our last meeting, as we're trying to
23 approve money I discovered that they allowed a
24 development to go on right down the street. We

1 didn't know that.

2 So they're asking us to participate in the
3 development of the future of Merrimack Street, but
4 forgot to tell us they already approved the
5 development down the street. And we haven't been
6 doing things because we're looking for a grant. So
7 I'd like to just find out, you know, I don't want to
8 overtake what Gary and his staff have been working
9 on, and that is proceed on the building over here. I
10 want -- I don't want there to be -- telling us what
11 we should be doing in the next three or four years.

12 So with Daniel's coming up from Hartford,
13 Connecticut -- New Haven, sorry, he's going to be
14 able to help us and with Murphy being there we should
15 have a little better sense of what they want to do.
16 Because when Daniels was speaking that day, I'm sure,
17 Gary, you will agree with us, he overtook the
18 dialogue. And I tried of cut him off. I think he's
19 very bright. So that's the purpose of the meeting.
20 And I asked you to invite Kevin Murphy and to invite
21 Bobby McMahon. And I understand it's going to be
22 late morning that day.

23 Mr. Wallace: Yeah it can be 10 or
24 11 o'clock. So 11 o'clock.

1 Mr. Shea: 11 o'clock, right. That's the
2 purpose of the meeting, to try to get some guidance
3 from him as to how we should be responding in the
4 future. And I know we saw an artist's rendering of
5 that building you want to put up across the street.
6 And man, that's going to be a pretty nice building.

7 So that's the purpose. I just wanted to say
8 that for the record to the other members of the Board
9 of Commissioners, let them know that's what it's
10 about. And Bobby and I being on the executive
11 committee, we're the people being asked to
12 participate. And so it's good to have a report.
13 We'll report to the full Board. And that's basically
14 it. Thank you for your report.

15 The next item -- there's no motions of any
16 board members.

17 The executive director has already made his
18 announcements.

19 Item Number 10 is motion to adjourn. The
20 chair recognizes Commissioner Mony Var, seconded by
21 Vice Chairperson McMahon to adjourn today's meeting.
22 And the clerk will call the roll.

23 Mr. Wallace: Commissioner Marr.

24 Mr. Marr: Yes.

1 Mr. Wallace: Vice Chairman McMahon.
2 Mr. McMahon: Yes.
3 Mr. Wallace: Chairman Shea.
4 Mr. Shea: Yes.
5 Mr. Wallace: Commissioner Var.
6 Mr. Var: Yes.
7 Mr. Wallace: And Commissioner Bernes.
8 Ms. Bernes: Yes.
9 Mr. Wallace: Five yeas.
10 MR. McMAHON: Happy Thanksgiving, everybody.
11 (Whereupon the Board of Commission's meeting
12 adjourned at 5:59 p.m.)
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