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LOWELL HOUSING AUTHORITY
BOARD OF COMMISSIONERS MEETING
OCTOBER 12, 2022

Mercier House
21 Salem Street
Lowell, Massachusetts

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

1 Board of Commissioners:

2 Philip L. Shea, Chairman

3 Mony Var, Vice Chairman

4 Joanie L. Bernes, Commissioner

5 Matt Marr, Commissioner

6 Rodney Elliott, 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 MaryAnn Maciejewski

17 Tha Chhan

18 Rita Brousseau

19 Laura Watts

20 Jonathan Goldfield

21

22

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

2 Mr. Shea: Good evening. Noticing the time,
3 looking at the clock, welcome to the Lowell Housing
4 Authority Board of Commissioners meeting on
5 Wednesday, October 12th. I understand that
6 Commissioner Matt Marr will not be with us today. He
7 has been delayed due to a work qualification.

8 I also understand that Commissioner Rodney
9 Elliott is on his way and will be actively
10 participating with us shortly.

11 However, with the majority of the members of the
12 Board of Commissioners present, I will ask the clerk
13 to call the roll.

14 Mr. Wallace: Chairman Shea.

15 Mr. Shea: Present.

16 Mr. Wallace: Vice Chairman Var.

17 Mr. Var: Here.

18 Mr. Wallace: Commissioner Bernes.

19 Ms. Bernes: Here.

20 Mr. Wallace: Commissioner Elliott.

21 Commisisoner Marr.

22 Three present.

23 Mr. Shea: Okay. Thank you. First item on
24 the agenda tonight is the approval of the minutes of

1 the Board of Commissioners meeting held on
2 September 14th, 2022.

3 Are there any questions by any member --
4 Commissioner Elliott is now coming in. Is there any
5 question by any member of the Board of Commissioners
6 pertaining to the minutes of the meeting of
7 September 14th? Welcome.

8 Hearing none, I will ask the clerk to call
9 the roll. I'm sorry, motion by Commissioner Rodney
10 Elliott, seconded by Commissioner Joanie Bernes to
11 approve the minutes of the meeting of September 14th,
12 2022. With that being the case, I will ask the clerk
13 to call the roll.

14 Mr. Wallace: Chairman Shea.

15 Mr. Shea: Yes.

16 Mr. Wallace: Vice Chairman Var.

17 Mr. Var: Yes.

18 Mr. Wallace: Commissioner Bernes.

19 Ms. Bernes: Yes.

20 Mr. Wallace: Commissioner Elliott.

21 Mr. Elliott: Yes.

22 Mr. Wallace: Four yeas.

23 Mr. Shea: The next item is Item Number 2,
24 resident correspondence. Mr. Clerk, do we have any

1 resident correspondence?

2 Mr. Wallace: We have none.

3 Mr. Shea: Item Number 3 is the resident
4 organization. This is Item Number 3. Do we have any
5 communication pertaining to the resident
6 organization?

7 Mr. Wallace: None present.

8 Mr. Shea: Item Number 4 is the subcommittee
9 report. I don't -- I did not see any subcommittee
10 report, however, did we not get an email indicating
11 there was a subcommittee meeting yesterday or today?

12 Mr. Wallace: Yes. It was a capital
13 subcommittee meeting.

14 Mr. Shea: It was the subcommittee on
15 capital planning, and is the report from the
16 subcommittee of capital planning Mr. Garvey?

17 Mr. Garvey: Where Chairman Marr's absent, I
18 would defer to -- Commissioner Marr, I would defer to
19 Commissioner Elliott.

20 Mr. Wallace: Thank you, Mr. Chair, sure.
21 There was a capital budget meeting -- subcommittee
22 meeting yesterday. Three items on the agenda. In a
23 nutshell, the first change order was the change order
24 for additional work that needs to be done at the

1 Lakeview Ave project -- rehabilitation project, the
2 sum totaling \$45,000. Significant explanation to the
3 current status of the project and why these change
4 orders became apparent.

5 In large part, as a result of the storm
6 water management, we need to install essentially
7 storage tanks on the high water level. This is as a
8 result of the city engineering department
9 implementing storm water management act recognition.
10 As a result of that we need to put those in, as well
11 as excavation of the foundation for the -- for two
12 units at the inspection facility, contamination was
13 discovered. And that was involved in large part of
14 the improvements. So those two units are necessary,
15 unexpected. There was an explanation by John over
16 there, very well detailed. I don't know if you want
17 to add anything further. I don't know if that change
18 order is coming in tonight. So questions can be
19 asked about that later. But funding was made
20 available through a grant, thanks to the capital
21 budget team.

22 Secondly was the house -- what they call the
23 house doctor, and that is -- I'm going to defer to
24 you, Adam, a little bit more on this house doctor.

1 Essentially putting contact -- vendors on the
2 contracts sort of, that is private, not to go out to
3 bid for design services. And I know we do for the
4 elevators and some other trades, but I defer to --
5 I'm not going to -- I understand house doctors have
6 some retainer, reduces the number of the scope -- not
7 reduces the scope of the work, reduces the time
8 element to do the project. So if there is no
9 objection.

10 Mr. Garvey: That's also on the agenda as
11 Item 7.1.7 for discussion and vote tonight. But
12 yeah, you hit it right. We do have a very similar
13 contract for our elevators. And what we do is we put
14 out a public request for qualifications to designers,
15 and then we award it to -- or we're looking to award
16 to three different firms. So what this does, when we
17 have an issue with a building envelope, whether it's
18 siding, windows, doors, roofs, we can go to this pool
19 of three different design firms and get the design
20 done quicker so that we can get the work out on the
21 street for bidding, and probably save us a good 30 to
22 60 days of design time with respect to contracts. We
23 have had great success with them in the past.

24 MR. Elliott: Okay. And there was an update

1 on the status of electrical improvements at the
2 apartment complexes.

3 So that's the report, Mr. Chair. A motion
4 is made to recommend positively these change orders
5 and the house doctors. That's it.

6 Mr. Shea: I just want to let my fellow
7 Board of Commissioners realize that what we're
8 talking about is Item 7.1.7, 7.1.8 and 7.1.9. Those
9 three items. So we will basically take those up
10 later on, but that produces dialogue. So if you have
11 any questions I would urge you to wait until we get
12 to Items 7.1.7, 7.1.8, 7.1.9. I had a couple of
13 questions which we can talk about later.

14 I would like to move on with the agenda. So thank
15 you for the report of the subcommittee on capital
16 improvements.

17 With that being the case, we now go to Item
18 Number 4 -- Item Number 5, I should say. And Item
19 Number 5 is the report of the finance and audit
20 committee. And we have here with us Mrs. Sherry
21 Giblin, our chief financial officer, who will give us
22 the report on the finances of Lowell Housing
23 Authority as she sees it. Thank you.

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

1 The Authority's operating statements for the
2 period ending August 31st, 2022 were provided to the
3 Board for their review. To date most programs remain
4 revenue producing and are still exceeding budget
5 estimates.

6 For the month of August our federal AMPs saw
7 a \$99,000 increase in operating gains. Our HUD
8 multi-family development Concord River Mills saw an
9 increase of 15,000, and our state portfolio had an
10 increase of 9,000. The Housing Choice voucher
11 program saw a decrease of 45,000.

12 Rents and subsidy amounts across the four
13 federal AMPs remain at budget tolerance, with three
14 out of the four AMPs exceeding budget estimates.
15 This is mainly due to proration levels that remain at
16 104 percent through August.

17 Most expenses across all of the AMPs are
18 within budget tolerance. Admin expenses remain under
19 budget in legal, eviction and IT expenses. Utilities
20 are within budget tolerance, with three out of four
21 AMPs under budget. Maintenance expenses remain
22 within budget tolerance in our federal programs.
23 Insurance and benefits are within budget tolerance
24 throughout all AMPs. Our state portfolio is over

1 budget due to OPEB costs that are unbudgeted per DHCD
2 guidelines.

3 Finally, our other general expense category
4 remains under budget in three out of four AMPs due to
5 collection loss deferral and protective services.

6 Also provided to the Board for their review
7 were the operating budgets for our three state
8 programs. DHCD has increased operating subsidy for
9 the state consolidated program by 9 percent for
10 fiscal year 2023. In real dollars this is an
11 increase in funding of approximately 72,000.
12 Although the program is projected to realize an
13 operating gain of 19,000, the program has maximized
14 its annual non-utility expense levels for fiscal year
15 '23.

16 DHCD has also provided direct cost
17 reimbursement a for resident service coordinator in
18 the amount of 50,000 in the state self-sufficiency
19 program for 70,000. These are both direct
20 reimbursable grants that flow through subsidy.

21 The Chapter 689 program will see a rent
22 increase in fiscal year '23 due to DHCD updating its
23 minimum rents. The program is projected to realize
24 minimal gain for fiscal year '23.

1 And lastly, the MRVP program is projected to
2 realize an operating gain of 39,000. This program
3 currently administers 160 vouchers. The main source
4 of revenue is admin fees earned for each voucher
5 leased. Admin fees currently remain at \$50 per unit
6 for fiscal year '23.

7 At this time I'll take any questions from
8 the Board.

9 Mr. Shea: Thank you very much for your
10 report, Mrs. Giblin. I would open the questions up
11 to members of the Board of Commissioners to our chief
12 financial officer. Any questions?

13 Hearing none, I will accept the motion by
14 Commissioner Joanie Bernes, seconded by Commissioner
15 Rodney Elliott to accept the finance and audit report
16 by Sherry Giblin, our chief financial officer. And
17 with that being the case, the clerk will call the
18 roll.

19 Mr. Wallace: Chairman Shea.

20 Mr. Shea: Yes.

21 Mr. Wallace: Vice Chairman Var.

22 Mr. Var: Yes.

23 Mr. Wallace: Commissioner Bernes.

24 Ms. Bernes: Yes.

1 Mr. Wallace: Commissioner Elliott.

2 Mr. Elliott: Yes.

3 Mr. Wallace: Four yeas.

4 Mr. Shea: The next item is Item Number 6,
5 the report of the chair, of which I'll have a few
6 things to say later on in the meeting. We'll just
7 move by Item Number 6.

8 And the next item on the agenda after Item
9 Number 6 is Item Number 7, report of the Executive
10 Director. And at this time, with the approval of the
11 members of the Board of Commissioners, the Chair
12 would like to take up Item Number 7.1.12, the motion
13 to approve the Executive Director's agreement. Do I
14 hear a motion by Commissioner Elliott, seconded by
15 Commissioner Bernes to move to Item 7.1.12. It's
16 with respect to Dr. Wallace with respect to his
17 future plans to go off and retire who knows where.

18 And the Board of Commissioners received on
19 October 6th a letter from Dr. Wallace pertaining to
20 his desire to retire. That's after 30 years being
21 here, 20 years as the Director. And the members of
22 the Board were given the copy of the letter that was
23 sent to us by Dr. Wallace. And with that being the
24 case, I think we -- I'm going -- I'm sorry, I meant

1 to mention earlier, by the way, I always forget this
2 every week, our general counsel of the Lowell Housing
3 Authority, Attorney Kevin Murphy is present. For
4 some reason or another I always bring it up like
5 15 minutes into the meeting.

6 So with that being the case, I will read
7 into the record the letter that we received from
8 Dr. Wallace pertaining to his desire dated
9 October 6th. After I read the letter I'm going to
10 ask Attorney Murphy to walk us through the process.

11 On October 6th, 2022, Chairman Shea, Members
12 of the Board, under the terms and conditions of my
13 employment with the Lowell Housing Authority, I am
14 required to give you advance notice of my intention
15 to leave prior to the contract end date.

16 Therefore, I write to you today to formally
17 notify you that I will be retiring from the Lowell
18 Housing Authority effective December 31st, 2022.

19 It has been an honor to be the longest serving
20 executive director of such an important and vital
21 agency to the citizens of Lowell.

22 Most importantly, it's been my privilege to work with
23 our talented and dedicated employees who come to work
24 every day with the purpose of providing decent, safe,

1 affordable housing for the residents we serve.

2 Together I know we deliver great opportunity
3 to the community. I wish the agency continued growth
4 and success.

5 Sincerely, Gary J. Wallace.

6 And once again, I indicated I thought it was
7 dated to the Board of Commissioners on October 6th,
8 2022. With that being the case, there was a copy of
9 the agreement that was sent to the members of the
10 Board of Commissioners that was drawn up by our
11 attorney, Lowell Housing Authority general counsel
12 Kevin Murphy, who worked on this agreement, which
13 will be part of the record. And with that being the
14 case, I would ask Attorney Murphy to walk us through
15 the necessary steps to effectuate the conclusion of
16 this agreement.

17 Attorney Murphy -- and I would ask you to
18 speak into the mic. Our sound system is better
19 tonight than it has been, but that doesn't say much.
20 It's been pretty bad for quite a while.

21 With that being the case, I would ask you to
22 speak clearly into the microphone in order for the
23 stenographer to hear, and I don't know if it's
24 necessary to read the five page draft that you wrote

1 up for us. I think all Commissioners have read this
2 agreement, and I had a couple questions on it, which
3 I took up with you earlier. But the bottom line is
4 -- so if you could just take it from here, and then
5 we will listen to your thought process and move
6 forward, Attorney Murphy.

7 Mr. Murphy: Thank you, Mr. Chairman and
8 through you to the Board of Commissioners.

9 Mr. Shea: Speak into the microphone.

10 Mr. Murphy: Is that better?

11 Mr. Shea: Yes, much better.

12 Mr. Murphy: Thank you, Mr. Chairman and
13 through you to the commissioners. When Mr. Wallace
14 registered his intent to retire, is that myself and
15 he entered into negotiations on an agreement and
16 release of all claims relative to his retirement. We
17 finalized that agreement, which you have in front of
18 you. Mr. Wallace agrees to it, and is satisfied with
19 it. And I believe it's fair and reasonable. It
20 really incorporates most of the items that were
21 contained in his contract of employment with the
22 Authority.

23 So what I'm asking tonight is for the Board
24 to do two things. First of all, to accept the

1 retirement letter dated October 6th of Dr. Wallace;
2 and second, to authorize Chairman Shea to enter into
3 the agreement and release of all claims on behalf of
4 the Board of Commissioners. And when we do that,
5 then everything will be finalized and everything that
6 was agreed to by Mr. Wallace and myself. And if
7 there are any questions relative to that, again, I
8 would say that, for the record, would be that the
9 Board would move to accept the October 6th letter of
10 resignation or retirement by Dr. Wallace, and
11 authorize Chairman Shea to enter into the agreement
12 and release of all claims on behalf of the Board of
13 Commissioners.

14 If there are any questions, I'll be happy to
15 answer them.

16 Mr. Shea: So there's three items in front
17 of us right now, to authorize the letter of
18 acceptance, motion to accept the agreement, and the
19 third is to?

20 Mr. Murphy: Authorize the chairman sign the
21 agreement.

22 Mr. Shea: I can't even read my own writing.
23 Okay.

24 Thank you very much. We will try to work through

1 that together on the record. The only thing I wanted
2 to say -- there's a lot I could say, but it's best to
3 say, you know, just very briefly that I obviously
4 wanted to wish Gary well in his retirement, and we
5 will proceed with the process of replacing you.

6 You're right, you've been at the job for
7 20 years. And since -- I've known you since you were
8 17 years old, it's been a long journey. And I've
9 seen you grow through the years. And I think Kevin
10 Murphy hired you to work at the State House and I
11 think that was a very fruitful experience for you, as
12 you obviously took a path in life to go on to get a
13 Ph.D. from Northeastern University, to serve as the
14 director of the Housing Authority for some 20 years.
15 Very difficult job because of so many extenuating
16 circumstances, very few you have control over. And
17 to maintain a workforce that provides peace and
18 safety for housing for our residents.

19 And so with that being the case, it's
20 amazing I met you, you were 18. That's 42 years ago
21 and -- 42 years in March and, you know, my wife went
22 to high school with you. So I know she's a year
23 behind you. So with that being the case, I wish you
24 well.

1 So with that being the case I will now introduce -- I
2 guess the first motion would be to accept the letter
3 of October 6th, 2022 to the Board signed by Gary
4 Wallace. And with that being the case, Commissioner
5 Mony Var, seconded by Commissioner Rodney Elliott
6 move to accept the letter dated October 6th, 2022.
7 And with that being the case, the clerk will call the
8 roll.

9 Mr. Wallace: Chairman Shea.

10 Mr. Shea: Yes.

11 Mr. Wallace: Vice Chairman Var.

12 Mr. Var: Yes.

13 Mr. Wallace: Commissioner Bernes.

14 Ms. Bernes: Yes.

15 Mr. Wallace: Commissioner Elliott.

16 Mr. Elliott: Yes.

17 Mr. Wallace: Four yeas.

18 Mr. Shea: The next item recommended by our
19 general counsel to move forward with the agreement,
20 to accept the agreement which has been drawn up by
21 our general counsel and agreed to by the Executive
22 Director. And with that being the case, we have all
23 seen the agreement and I wanted to commend Attorney
24 Murphy for doing this agreement in such a delicate

1 way that we could be here tonight. It's a very
2 delicate subject matter with a lot of T's to be
3 crossed or dots of an I. So I want to congratulate
4 you for your effort in bringing this forward tonight.
5 And so to vote to accept this agreement, once again,
6 Committeeperson Joanie Bernes, seconded by
7 Commissioner Mony Var with respect to the acceptance
8 of the agreement as put forward by the general
9 counsel, Attorney Murphy. With that being the case,
10 the clerk will call the roll.

11 Mr. Wallace: Chairman Shea.

12 Mr. Shea: Yes.

13 Mr. Wallace: Vice Chairman Var.

14 Mr. Var: Yes.

15 Mr. Wallace: Commissioner Bernes.

16 Ms. Bernes: Yes.

17 Mr. Wallace: Commissioner Elliott.

18 Mr. Elliott: Yes.

19 Mr. Wallace: Four yeas.

20 Mr. Shea: And the last motion Attorney
21 Murphy wants us to bring -- it's not a motion. It's
22 to sign the document.

23 Mr. Murphy: It's a motion to authorize the
24 Chairman to enter the agreement on behalf of the

1 Board of Commissioners.

2 Mr. Shea: As the general counsel said, we
3 now have a motion before us to authorize the Chairman
4 of the Lowell Housing Authority to sign and authorize
5 the agreement by Dr. Wallace to leave the Housing
6 Authority. So this vote will authorize that person
7 to sign the agreement to make it legal and binding.
8 With that being the case, Commissioner Rodney
9 Elliott, seconded by Commissioner Mony Var moves that
10 that motion be allowed, and the clerk will call the
11 roll.

12 Mr. Wallace: Chairman Shea.

13 Mr. Shea: Yes.

14 Mr. Wallace: Vice Chairman Var.

15 Mr. Var: Yes.

16 Mr. Wallace: Commissioner Bernes.

17 Ms. Bernes: Yes.

18 Mr. Wallace: Commissioner Elliott.

19 Mr. Elliott: Yes.

20 Mr. Wallace: Four yeas.

21 Mr. Murphy: May I approach?

22 Mr. Shea: Yes.

23 Mr. Murphy: Sign right on that line.

24 Mr. Shea: So this is just a copy of this?

1 Mr. Murphy: Yes.

2 Mr. Shea: So is that --

3 Mr. Murphy: Thank you. All set.

4 Mr. Shea: Did you give a copy of the
5 contract to the stenographer?

6 Mr. Murphy: I'll make sure that everybody
7 gets signed copies.

8 Mr. Shea: I do want to bring out one point
9 that was brought to my attention, that was
10 Dr. Wallace intends to participate actively for the
11 next 80 days. He will be actively involved with the
12 running of the Housing Authority until December 31st.
13 He has some vacation time coming to him, some sick
14 time coming to him. That's all spelled out into his
15 contract. And his contract, incidentally, was voted
16 on about three years or so ago by at least two
17 members of the Board, maybe three. And so we
18 understand what was in that contract. But he will be
19 engaged, he will be actively participating in the
20 duties of the Housing Authority. It isn't like he's
21 going to leave tonight, get on a plane and go to
22 London for the next two months. And so that's -- he
23 will actively be engaged. And the Board will have
24 something to say about the future sometime in the

1 future. But the bottom line is for now, nothing's
2 changed. And as a sense, that's it. I do think that
3 the Board looks forward to possibly a reorganization
4 sometime in the future with respect to the current
5 needs of our the residents, because that's who we are
6 here to represent. The residents. So there may be
7 some adjustments, it maybe some new ideas that come
8 forward as we proceed into the first of the year.
9 And we'll take up those matters accordingly.

10 Once again, we don't have -- we don't have
11 all the answers to all the questions. But our
12 situation is no different than the employee
13 situation. Now we can solve ten problems this week,
14 we show up to work next Monday, we still have another
15 ten problems to solve. So it will be an ongoing
16 process, to move forward to replace Dr. Wallace.
17 Which will be done. I'm confident it will be done.
18 Hopefully it will be done satisfactory to everyone's
19 delight. And with that being the case, I just wanted
20 to recognize -- put that on the record. Because
21 sometimes some people have, including myself, have
22 short memories.
23 So with that being the case, I think that will take
24 up that matter and we will just now move forward with

1 the agenda.

2 Now we're going back to the agenda, which is Item
3 Number 7.1.1. I notice MaryAnn is here. Where is
4 she on the agenda?

5 Mr. Wallace: MaryAnn will be 7.1.5. The
6 fair housing marketing plan.

7 Mr. Shea: I was wondering where the heck
8 you were on the agenda. Thank you. Always a
9 pleasure seeing you here.

10 Okay. With that being the case, I will move
11 to Item Number 7.1.1, which is a motion to approve
12 the state consolidated operating budget fiscal year
13 ending September 30th -- oh, this is -- this is what
14 we were working on the other day. Did you fix that
15 adjustment on the new vehicle?

16 Ms. Giblin: Yes.

17 Mr. Shea: I assumed that was going to be
18 the case, but you took out of this account, put it in
19 the federal account. Okay. I'm going to stop, I can
20 ask -- I'll just -- I will ask -- it's right here. I
21 will ask our chief financial officer just to speak
22 briefly on the operating budget that's been presented
23 to the Board for its approval for the State House at
24 this time.

1 Ms. Giblin: So as I mentioned previously in
2 my remarks, the state did give us a 9 percent
3 increase, which in real dollars is approximately
4 72,000 for the fiscal year 2023.

5 Mr. Shea: Right.

6 Ms. Giblin: The state consolidated program
7 is projected to have about a \$19,000 gain, but we are
8 maxed out on our long utilities expense level.
9 Meaning any expenses that may exceed that may not be
10 allowed by the state. Will have to come directly
11 from us. And it also included in that budget two
12 grants, one of which is on the agenda tonight, as
13 well there's a \$50,000 grant for a resident service
14 coordinator, and there's a \$70,000 grant for the
15 state self-sufficiency program. Those both flow
16 through the operating subsidy of the state
17 consolidated program.

18 Our Chapter 689 program is our community
19 residences. Those are going to see a rent increase
20 in fiscal year '23. DHCD increased those rents.
21 DHCD sets those rents, we do not. So they set --
22 they raised their minimum rent. It was about an
23 \$8,000 increase for the fiscal year.

24 And then our MRVP program, which is our

1 state voucher program, that administers approximately
2 160 vouchers at this time.

3 Mr. Shea: Would you just put on the record,
4 indicate the little dialogue that we had about the
5 new vehicle, that we're going to buy new vehicles.
6 Whether it's going to be out of this account rather
7 than the interest account. And put an estimate in
8 for a new vehicle of 45,000, and I guess the only
9 follow-up question I would have to you, do you have a
10 timeline as to how long it would take to get that?

11 Ms. Giblin: We do not yet. Rita was going
12 to work with -- off the state contract. So the issue
13 is when we order our vehicles, we order them -- we
14 order them off of state contract. The state contract
15 is not allowed to purchase used vehicles off of a
16 contract. They have to be brand-new. And at this
17 time Ford has not opened up their ordering process,
18 so we're at their mercy waiting for them to open up
19 their process to put an order in for the vehicle.

20 Mr. Shea: Okay. The other item I just
21 wanted to bring out is -- I see Rita over there
22 smiling, because I think I know where she's going to
23 go with this. A year and a half ago we put out a bid
24 for a new vehicle and it went out to 16 different

1 dealers. And for some reason, from the perspective
2 that we put out a bid to 16 different dealers, we
3 only got one dealer that applied to it. It was the
4 Ford dealer. And so it always bothered me, what did
5 we do wrong? Apparently we didn't do anything wrong.
6 The market was tight a year and a half ago, 20 months
7 ago. Can you imagine what it's going to be like now?
8 I guess you're just going to put it out and hope you
9 get a vehicle for our workforce.

10 Ms. Giblin: Well the hope is that we can
11 find a vendor off the state contract that will be
12 able to order the vehicle for us.

13 Mr. Shea: We'll keep our fingers crossed.
14 Rita is shaking her head yes. Okay. Thank you.
15 Thank you for that report.

16 So with that being the case, 7.1.1, we
17 should have a roll call on that separately.

18 Ms. Giblin: Yeah, really I just covered
19 1.1, 2 and 3. Those are all of the operating
20 budgets, but they have to be voted on separately.

21 Mr. Shea: Yeah, right. Even though they're
22 bunched together for us.

23 Ms. Giblin: Yes.

24 Mr. Shea: Okay. Thank you. So with

1 respect to -- just to move the agenda along, with
2 respect to Item 7.1.1.

3 Mr. Wallace: There's three votes we have to
4 take.

5 Mr. Shea: Motion to approve the state
6 consolidated Chapter 677, Chapter 705 operating
7 budget fiscal year ending September 30th, 2023. So
8 with that being the case, Commissioner Joanie Bernes,
9 seconded by Commissioner Rodney Elliott move to
10 accept Item 7.1.1. And the clerk will call the roll.

11 Mr. Wallace: Chairman shea.

12 Mr. Shea: Yes.

13 Mr. Wallace: Vice Chairman Var.

14 Mr. Var: Yes.

15 Mr. Wallace: Commissioner Bernes.

16 Ms. Bernes: Yes.

17 Mr. Wallace: Commissioner Elliott.

18 Mr. Elliott: Yes.

19 Mr. Wallace: Four yeas.

20 Mr. Shea: The next item is a motion to
21 approve Chapter 689 program operating budget ending
22 September 30th, 2023. And once again, we have before
23 us, a continuation of really the first one, which
24 actually go together, so Commissioner Joanie Bernes,

1 seconded by Commissioner Mony Var to accept
2 Item 7.1.2. The clerk will call the roll.

3 Mr. Wallace: Chairman Shea.

4 Mr. Shea: Yes.

5 Mr. Wallace: Vice Chairman Var.

6 Mr. Var: Yes.

7 Mr. Wallace: Commissioner Bernes.

8 Ms. Bernes: Yes.

9 Mr. Wallace: Commissioner Elliott.

10 Mr. Elliott: Yes.

11 Mr. Wallace: Four yeas.

12 Mr. Shea: The next item is Item 7.1.3,
13 motion to approve Massachusetts Rental Voucher
14 Program operating budget for the fiscal year ending
15 September 30th, 2023. Commissioner Rodney Elliott,
16 seconded by Commissioner Joanie Bernes move for
17 approval of Item 7.1.3. With that being the case,
18 the clerk will call the roll.

19 Mr. Wallace: Chairman Shea.

20 Mr. Shea: Yes.

21 Mr. Wallace: Vice Chairman Var.

22 Mr. Var: Yes.

23 Mr. Wallace: Commissioner Bernes.

24 Ms. Bernes: Yes.

1 Mr. Wallace: Commissioner Elliott.

2 Mr. Elliott: Yes.

3 Mr. Wallace: Four yeas.

4 Mr. Shea: The next item is Item Number
5 7.1.4, motion to approve the application submission
6 for an increase to the state resident service
7 coordinator grant funding. And we have a little
8 report that was, what \$10,000? So for the record can
9 you indicate, Gary, what that application is about?

10 Mr. Wallace: Right. So this is a resident
11 service coordinator position for the state and the
12 state has increased our grant by \$10,000. We had to
13 accept it formally here by the Board. So it's just a
14 housekeeping item.

15 Mr. Shea: Right. Now we have a lot of
16 employees, particularly we've been talking about
17 nonunion employees that are on the payroll based on
18 grants.

19 Mr. Wallace: Yes.

20 Mr. Shea: Grants that we have. Sometime,
21 probably in the next meeting, give us a listing of
22 the employees and the funding, the need as funding
23 runs out; is that something that we plan for in the
24 future with respect to -- we have some pretty

1 dedicated employees that are being paid out of grant
2 money and when the funding goes out, we don't get
3 renewed. We don't want to lose their services to the
4 Authority. We should be making budget preparations
5 to maintain those people. Because right now they're
6 not on our funds. They're on grant funding funds.
7 And we do have a lot -- not a lot, but we have
8 several people coming up, particularly in the next
9 18 months, take out to payroll. You have to do
10 something to formulate a plan to maintain their
11 services because they're valuable employees to the
12 housing agency. So I'll just put that for the
13 record, if it's something you've been working on,
14 maybe you can report when we meet in November. Give
15 you some, you and your staff something to meditate.
16 Does that make sense?

17 Mr. Wallace: Yes, certainly.

18 Mr. Shea: Okay. Thank you.

19 So Item 7.1.4, it's a formality to accept
20 it. So Commissioner Joanie Bernes, seconded by
21 Commissioner Mony Var to accept 7.1.4, and the clerk
22 will call the roll.

23 Mr. Wallace: Chairman Shea.

24 Mr. Shea: Yes.

1 Mr. Wallace: Vice Chairman Var.

2 Mr. Var: Yes.

3 Mr. Wallace: Commissioner Bernes.

4 Ms. Bernes: Yes.

5 Mr. Wallace: Commissioner Elliott.

6 Mr. Elliott: Yes.

7 Mr. Wallace: Four yeas.

8 Mr. Shea: Thank you. The next item is
9 Item 7.1.5, motion to approve fair housing market
10 plan, language access plan and reasonable
11 accommodation plan for state-aided housing programs.
12 We have some information that was given to us by
13 MaryAnn, and with that being the case, I would ask
14 MaryAnn to come forward and let us know about this.

15 Ms. Maciejewski: Thank you, Mr. Chairman.
16 Good evening, Commissioners. These policies are
17 established for our state funded programs, the State
18 Fund Public Housing Program as well as the
19 Massachusetts Rental Voucher Program. All of the
20 policies before you this evening were developed using
21 the required Department of Housing and Community
22 Development format. The first plan is the reasonable
23 accommodation plan. This plan is very similar to the
24 reasonable accommodation plan for the federal

1 programs that we have. And to be quite honest, all
2 of our staff are actually doing most of the things
3 that are contained within this policy or plan.

4 It establishes processes for requesting an
5 accommodation, negotiating a compromised
6 accommodation, and denying an accommodation. The
7 only thing left to plan is reasonable accommodation
8 or modification if it -- if the request does not pose
9 an undue financial burden, administrative burden, or
10 a fundamental alteration to the nature of the
11 governance. Adam Garvey, our assistant executive
12 director, is designated as the reasonable
13 accommodation coordinator.

14 Reasonable accommodation information to be
15 provided to residents and sample letters are included
16 in the plan. I will tell you that the Lowell Housing
17 Authority does a very good job meeting accommodation
18 requests. It can be as simple as someone requesting
19 extra time to complete an annual certification of
20 income to requesting modifications within their
21 apartment. And we do our best to ensure that all
22 requests are granted. If it does pose a financial or
23 administrative burden, then we work with the client
24 to work out another accommodation that may be

1 beneficial.

2 So that is basically what is contained in
3 the reasonable accommodation plan.

4 The second plan is a language access plan.
5 This is a plan -- again, we have it in our federal
6 administrative plan and the state is now adopting a
7 very similar plan.

8 Based our analysis the individuals
9 identified as needing language assistance in Lowell
10 and in the Middlesex County are those who speak
11 Spanish and Khmer. Legal documents and important
12 notices are translated into Spanish and Khmer.
13 Documents will include a notice which states in
14 multiple languages this is an important document or
15 notice. Residents or applicants who require
16 interpretation services other than Spanish and Khmer
17 will be offered or are offered a phone interpretation
18 service through QC Fluency.

19 Staff provide day to day interpretation
20 services and will be available for private and group
21 meetings. If a client requests a private meeting and
22 feels there is a conflict utilizing our staff, the
23 LHA will hire an independent interpreter for the
24 meeting. All of the documents to be used and the

1 analysis of information are contained within this
2 plan.

3 Lastly, the fair housing plan. And that is
4 established to monitor the number of minority
5 residents within our developments. The LHA will
6 conduct a biannual analysis of our resident
7 population. Upon identifying an under representative
8 -- I'm sorry, under represented population, and that
9 would be a population one percent below the minority
10 population of the City of Lowell for the Middlesex
11 County, the LHA will submit its marketing activities
12 to attract new applicants.

13 In looking at our current data, the LHA must
14 take steps to attract Asian and black or
15 African-American applicants for state public housing
16 and for the Massachusetts Rental Voucher Program.
17 The LHA will utilize an array of marketing strategies
18 to attract under represented minority groups. These
19 strategies will include advertisements on the LHA
20 website and social media accounts. Advertising will
21 be shared with local fair housing commission, area
22 religious institutions, local and regional agencies,
23 civic groups, social service agencies, and local
24 organizations such as DTI, Lowell Community Health,

1 Lowell Transition Living Center, Lowell Senior
2 Center, and Lowell Veteran's Commission. Advertising
3 will also be placed in the Lowell Sun, El Comendo and
4 the Command Post.

5 Additionally, the LHA will conduct community
6 meetings with agencies serving underrepresented
7 minority populations. So that is, in a nutshell, is
8 a summary of what these policies contain. We do have
9 to adjust them and we will actually once they are
10 adopted, roll them out in public housing and for the
11 MRVP program.

12 Mr. Shea: Thank you for those comments.
13 Any questions by any member of the Board of
14 Commissioners to MaryAnn? If not, I have just a
15 general question. If you could amplify for me, could
16 you tell us a little bit about the interaction
17 between -- that the housing commission's office,
18 under the leadership of Tha Chhan, could you just
19 tell us a little bit about the interaction between
20 his staff and the public pertaining to housing
21 because, once again, I -- you know, I'm not too sure
22 everyone understands how important those 15 people
23 are to this agency. Could you just amplify for the
24 record.

1 Ms. Maciejewski: Yeah, so the division led
2 up by Tha Chhan is actually the first point of
3 contact that many of our applicants have from the
4 community. And so it is really critically important
5 that our staff, you know, be knowledgeable about our
6 programs to provide, you know, information so that
7 they have a clear understanding of what they're
8 applying for and what -- how long the process will
9 take, how long it will be before they're housed. And
10 so these are things that are addressed in that
11 office.

12 We are very fortunate to have a number of
13 bilingual employees at that location. And that has
14 really helped us to be able to communicate with our
15 -- with the clients that we serve.

16 Mr. Shea: I really couldn't agree with you
17 more. Thank you for those comments. Thank you for
18 the additional information. Just so that the public
19 can understand, that's quite a process that we don't
20 pay enough attention to. But maybe we're just
21 overwhelmed because there's so many things we're
22 trying to do.

23 Okay. Thank you very much for your report.
24 And now we're on to Item 7.1.5, and that is

1 a motion to approve the fair housing marketing plan,
2 language access plan and reasonable accommodation
3 plan for state-aided housing programs. And so with
4 that being the case, Commissioner Mony Var, seconded
5 by Commissioner Joanie Bernes move acceptance of
6 Item 7.1.5, and the clerk will call the roll.

7 Mr. Wallace: Chairman Shea.

8 Mr. Shea: Yes.

9 Mr. Wallace: Vice Chairman Var.

10 Mr. Var: Yes.

11 Mr. Wallace: Commissioner Bernes.

12 Ms. Bernes: Yes.

13 Mr. Wallace: Commissioner Elliott.

14 Mr. Elliott: Yes.

15 Mr. Wallace: Four yeas.

16 Mr. Shea: Next item on the agenda is a
17 motion to approve the lease Number 1 at Juvenile
18 Court Trust and the Lowell Housing Authority relative
19 to the parking on Appleton Street. And I want to get
20 this straight. Thank you. And with that being the
21 case -- it was news to me, and when I got this -- I'm
22 sure it was news to you, Members of the Board, that
23 this was even taking place.

24 I see Tha Chhan here. I will ask Tha Chhan

1 to explain to us a little bit about this amendment of
2 the parking at that facility.

3 Mr. Chhan: Thank you, Mr. Chairman. Well
4 for the last couple of months now we have information
5 communicating that there is another agency that will
6 become a resident at the 204 on the second floor, the
7 ground floor, and something about destination.

8 We were approached by Steve Johnson who
9 represents the owner. And also Dr. Wallace arranged
10 a meeting between Steve Panagiotakos that represent
11 -- who will be a tenant at this point.

12 And in a meeting under the direction of
13 Dr. Wallace I indicate to them that I have some
14 concern. Because we understand that we are providing
15 services to the community within the City of Lowell,
16 and the nature of services might be similar, but also
17 different. Because they are similar concern, the
18 parking space. And the concern is to address the
19 parking as a matter of accommodation with regard to
20 our entrance, the door in and out. And to resolve
21 all of those issues, the only sticking point was the
22 parking space. Because we need parking space for our
23 staff and we need parking space for residents trying
24 to come in.

1 So I approached Rita, presented the case to
2 Rita. Said I do not have the authority to make a
3 decision on a contract, to amend the lease or
4 anything like that. And then after we met with the
5 attorney and Dr. Wallace, and we got the information
6 from Dr. Wallace that we could have five parking
7 spaces across the street. To us it is a better deal
8 than what we have right now. What they were looking
9 for, take three parking spot from us. People chose
10 not to park there, unless there is no alternative.

11 In this case we will get five parking spaces
12 across the street, that the staff can see their car
13 at any time they want to. So to me it's a better
14 deal. And we brought it to the staff, we make the
15 decision independently, we talked to the staff and
16 everyone happy and we concluded with the amendment to
17 the lease and sent the memo to them and let you know.
18 That's all. We free to pass. Thank you.

19 Mr. Shea: Excuse me -- thank you, Tha, for
20 that explanation. I went out to look at the
21 situation before coming down to the meeting, that Tha
22 showed me the agreement. Reading this, you really
23 have to go up to see what's being -- what's taking
24 place. But thank you for your words, and I think

1 it's a step in the right direction for the Authority.

2 Any questions for Tha Chhan or Dr. Wallace?

3 Commissioner Elliott, please.

4 Mr. Elliott: Thank you, Mr. Chair. I
5 happened to be at this Board of Appeals. We thank
6 you for relief from service requirements.

7 So the five spaces, is that a city lot
8 across the street? So leasing the spaces from the
9 city?

10 Mr. Murphy: Correct.

11 Mr. Wallace: Okay. Makes sense.

12 MR. Elliott: And I know this is probably no
13 -- the five spaces at 89 Appleton Street, and that's
14 all that they're planning on using? Or I suppose
15 some of the clients can park in the municipal parking
16 lot.

17 Mr. Murphy: That's a metered parking lot up
18 there. So they can park there if they wanted to, but
19 they'd probably be getting the parking spots that
20 aren't very attractive to us. So that's okay.

21 MR. Elliott: Okay. Great. Thank you.

22 Thank you, Mr. Chair.

23 Mr. Shea: Okay. Thank you. With that
24 being the case, Item Number 7.1.6, there's a motion

1 by Commissioner Joanie Bernes, seconded by
2 Commissioner Mony Var to accept Item 7.1.6. The
3 clerk will call the roll.

4 Mr. Wallace: Chairman Shea.

5 Mr. Shea: Yes.

6 Mr. Wallace: Vice Chairman Var.

7 Mr. Var: Yes.

8 Mr. Wallace: Commissioner Bernes.

9 Ms. Bernes: Yes.

10 Mr. Wallace: Commissioner Elliott.

11 Mr. Elliott: Yes.

12 Mr. Wallace: Four yeas.

13 Mr. Shea: The next item is Item Number
14 7.1.7, motion to approve contract award
15 recommendations for building house doctor, architect
16 and engineering services to TBA Architects, Inc.,
17 Concord, Massachusetts in the amount of...

18 Mr. Wallace: There is no amount,
19 Mr. Chairman.

20 Mr. Shea: It's an additional one-year
21 contract. An additional one-year term, not to exceed
22 four years, not subject to a dollar amount. And
23 there's no dollar amount. Okay. So with that being
24 the case, is this one of the items you talked about?

1 MR. Elliott: Yes, Mr. Chair. This is the
2 three house doctors that the Authority will put under
3 contract so when there is construction work that
4 needs to be done, it can be done by these house
5 doctors and doesn't have to go out for solicitation
6 which essentially delays the length, delays
7 construction on the project by anywhere from 90 to
8 120 days.

9 They're just going to follow up with me,
10 award -- or solicited -- excuse me -- organizations,
11 correct me if I'm wrong, they come off COMMBUYS or we
12 do a solicitation and then -- is it solicitation for
13 these three house doctors?

14 Ms. Brousseau: It is.

15 Mr. Elliott: It is. Okay. Thank you.

16 Thank you, Mr. Chairman.

17 Mr. Shea: I asked this question before in
18 the past, for the record, will you tell us how the
19 individuals are selected to review these proposals?

20 Mr. Wallace: I will defer to the
21 procurement officer.

22 Ms. Brousseau: Good evening.

23 Mr. Shea: Thank you, Rita.

24 Ms. Brousseau: What I solicited was a

1 request for qualifications for those individual
2 designers or architects who might be interested in
3 providing services on an on-call basis. What we did
4 is we pooled together, there were five bidders that
5 submitted their qualifications, and the evaluation
6 committee evaluated and picked the top three. So of
7 the top three we'd like to enter into a master
8 agreement with each of them, not for a dollar amount
9 at this time, but it will be a master agreement that
10 will allow us to call upon them when a project comes
11 up, we would then ask for a fee proposal and then
12 issue a contract with them.

13 Mr. Shea: Okay. Thank you, Rita. I wanted
14 to get that on the record. I do notice Donna is here
15 with Laura, and Amy Dolphin is here. They're pretty
16 impressive people. They know the lay of the land and
17 their recommendation is good with me.

18 Any question pertaining to Item 7.1.7?
19 Hearing none, Commissioner Rodney Elliott, seconded
20 by Commissioner Joanie Bernes to move for acceptance
21 of 7.1.7. The clerk will call the roll.

22 Mr. Wallace: Chairman Shea.

23 Mr. Shea: Yes.

24 Mr. Wallace: Vice Chairman Var.

1 Mr. Var: Yes.

2 Mr. Wallace: Commissioner Bernes.

3 Ms. Bernes: Yes.

4 Mr. Wallace: Commissioner Elliott.

5 Mr. Elliott: Yes.

6 Mr. Wallace: Four yeas.

7 Mr. Shea: Item Number 7.1.8, motion to
8 approve change order to -- let me just get -- it's
9 motion to change -- it's a motion to exchange -- to
10 change order in the amount of \$257,945.78 to New
11 England Builders and Contractors. They're located at
12 464 Merrimack Street, Methuen, Mass. And we got this
13 approval from Rita, however, our capital asset
14 manager Laura Watts is here to explain, if you can
15 read the print on this punch out.

16 Ms. Watts: Okay. So --

17 Mr. Shea: Just explain for the record,
18 please.

19 Ms. Watts: Yes. So as Commissioner Elliott
20 stated earlier, this is a \$3 million modification
21 project that we obtained a special grant to do. So
22 none of this comes out of our formula funding. And
23 in the process of working through the scope and
24 installing of water infiltration tanks, we have

1 combined storm and sewer and the city asked us to
2 have retention tanks on site to avoid an influx of
3 too much water going back into the city's sewer
4 system.

5 So in preparation for installing those we
6 discovered contaminated soil on this site. As we dug
7 we found that it wasn't stable. You can tell when
8 soil has been previously disturbed or isn't native to
9 a plot of land. And the more we dug, the more
10 questions came up. So we had to have the soil
11 tested. We found lead and asbestos on one side of
12 the building, and on the other side we also found
13 arsenic in the soil.

14 So a great deal of -- the bulk of this
15 change order is to remediate the soil. And because
16 the soil wasn't stable, we had to change our plan for
17 the foundation for the addition of the 2 ADA units.
18 Instead of doing a traditional footing, we had to
19 purchase helix pilings. There's 27 of them that will
20 go 21 feet into the ground in order to support the
21 foundation for the ADA units.

22 A couple other large ticket items, per DHCD's strong
23 recommendation we are eliminating gas stoves in our
24 developments. And we found that the existing

1 transformer could not carry the new electrical load
2 that these electrical ranges, electrical stoves will
3 draw.

4 There is some good news here. We carried
5 over 300,000 for contingency funds within our budget.
6 So we have the money to cover these unexpected things
7 that have come up. And every decision that we're
8 making here is truly in the best interest of our
9 residents and for the property in the future.

10 Happy to answer any questions.

11 Mr. Shea: Any question by any member of the
12 Board of Commissioners?

13 Ms. Watts: You know, I'm sorry, one more
14 clarification to make. If you look at the COR log,
15 on the right-hand column you'll see that some of
16 these have already been submitted and approved to
17 capital, and some of these are estimated costs based
18 on what we expect to find as we go forward.

19 So we've only done three modernization
20 units. That's a full kitchen and bath rehab. As we
21 go on we could discover that these amounts are even
22 less. And in fact, if you look at Item Number 10 on
23 your log, that has \$19,411. The very next day I got
24 a revised call, too late to submit, that now it is

1 expected to only be \$6,830.

2 So in the past we come to you with change
3 orders we've already approved, and we understand you
4 get a little frustrated when we do that, this
5 includes both costs we've already incurred, but also
6 costs we expect to. And in the interest of full
7 transparency, we wanted to put everything that we
8 know out there for you. And nothing will be -- New
9 England Builder's contract won't be altered until we
10 know what the final cost of each of these items are.
11 So there will be a reconciliation at the end. And
12 you will see that in our close-out documents.

13 Mr. Shea: Can I assume -- I assume what you
14 just told us you told the subcommittee.

15 Ms. Watts: Yes.

16 Mr. Shea: And I heard Commissioner Elliott
17 indicate his approval, and I assume the same goes
18 with Commissioner Matt Marr. And that's basically
19 it.

20 Ms. Watts: Yes, we were -- they had quite a
21 few very good questions. We were able to satisfy
22 those questions with, you know, well supported
23 answers.

24 Mr. Shea: And the architect, this

1 development, who's that?

2 Ms. Watts: Next Phase Studios.

3 Mr. Shea: Mr. Director, how do architects
4 get hired by the Housing Authority?

5 Mr. Wallace: Same process as the house
6 doctors. There's an RFQ and then there's a
7 negotiation.

8 Mr. Shea: For most of them, they're pretty
9 good. We've had a couple -- that's fair, we had
10 three?

11 Ms. Watts: Yeah, so with DHCD, which this
12 is a state site, they have their own house doctors.
13 They gave us a couple to choose from, much like the
14 house doctor, and we scored them accordingly and then
15 they assigned us.

16 Mr. Shea: Okay. I don't see any other
17 hands being raised, so thank you for your report.

18 Before us is Item Number 7.1.8, and
19 Commissioner Joanie Bernes makes that motion to
20 accept, seconded by Commissioner Mony Var to accept
21 Item 7.1.8, and the clerk will call the roll.

22 Mr. Wallace: Chairman Shea.

23 Mr. Shea: Yes.

24 Mr. Wallace: Vice Chairman Var.

1 Mr. Var: Yes.

2 Mr. Wallace: Commissioner Bernes.

3 Ms. Bernes: Yes.

4 Mr. Wallace: Commissioner Elliott.

5 Mr. Elliott: Yes.

6 Mr. Wallace: Four yeas.

7 Mr. Shea: Next item is 7.1.9, motion to
8 accept the closeout documents, City View Towers
9 balcony repairs in the amount of \$79,405 to Folan
10 Waterproofing and Construction Company of South
11 Eastern, Massachusetts.

12 And we have communication once again by our
13 capital asset manager, Laura Watts, and so I will ask
14 her to go on the record and tell the Committee
15 exactly what this item is for.

16 Ms. Watts: We have, as you have seen, the
17 balcony restoration project at City View Towers. Due
18 to financial budget constraints, we broke the project
19 up into two phases. Phase 1 being the north and west
20 facade. We completed that work. And so we would
21 like to close out that contract. And we're very near
22 to finishing phase 2 at the end of this month.

23 Mr. Shea: They've done a good job.

24 Ms. Watts: Yeah, it was quite a lot to it.

1 The scaffolding alone is a feat, and to stand back
2 and look at the building now, it's had a complete
3 facelift. But really the issue here was safety.
4 Those balconies are an emergency egress for our
5 residents. And the state of disrepair really is what
6 drove the need to do this project.

7 Mr. Shea: Do we have a clerk of the works
8 in a job like this?

9 Ms. Watts: I'm a project manager and John
10 Dumas does daily reports. They have their own site
11 foreman as well, so it's really...

12 Mr. Shea: You mentioned John Dumas. I
13 didn't even know he was still employed here.

14 Mr. Wallace: Yes.

15 Mr. Shea: I thought he was not rehired a
16 year or so ago.

17 Mr. Wallace: He's had a reduced role, but
18 he's still here.

19 Ms. Watts: Yeah, he's always been part-time
20 but he is an essential part of our team, John Dumas.

21 Mr. Shea: Well --

22 Ms. Watts: He does our field reports for us
23 and --

24 Mr. Shea: He does a lot of -- but the --

1 I'm trying to get to how do we ascertain if they're
2 paying the union rate?

3 Mr. Wallace: We do it inhouse. I'm not
4 sure it's John Dumas does it directly.

5 Ms. Watts: Yes. John performs wage
6 interviews and each week we get a certified payroll
7 that shows what each individual employee is
8 receiving. Whether it's apprentice or not, what
9 percentage of their apprenticeship. They maybe at 50
10 percent or 80 percent.

11 So we have weekly reports and then John goes
12 out in the field and actually speaks with the
13 employees. And if they have a check they'll show it.
14 Like the slip. The -- what's the word I'm looking
15 for? Pay stub.

16 Mr. Shea: He verifies that they're paying
17 the union rate?

18 Ms. Watts: Yes.

19 Mr. Shea: Okay.

20 Ms. Watts: And we have several Local 3
21 union members on that job. They've been great.

22 Mr. Shea: Makes sense. Thank you very
23 much, Laura, for your report.

24 With respect to the item before us,

1 Item 7.1.9, Commissioner Rodney Elliott moves to
2 accept 7.1.9, and seconded by Commissioner Mony Var.
3 And with that being the case, the clerk will call the
4 roll.

5 Mr. Wallace: Chairman Shea.

6 Mr. Shea: Yes.

7 Mr. Wallace: Vice Chairman Var.

8 Mr. Var: Yes.

9 Mr. Wallace: Commissioner Bernes.

10 Ms. Bernes: Yes.

11 Mr. Wallace: Commissioner Elliott.

12 Mr. Elliott: Yes.

13 Mr. Wallace: Four yeas.

14 Mr. Shea: Thank you. Next item is 7.1.10,
15 motion to approve change order of Dublin Street in
16 the amount of \$12,839 to Vareika Construction -- I
17 hope I pronounced that somewhat correct -- 219 Walnut
18 Street, West Bridgewater, Massachusetts. And that's
19 Item 7.1.10. And I guess it's only proper to have
20 Rita come up and explain a little bit about this item
21 for the record. Thank you. Rita, thank you.

22 Ms. Brousseau: I'm going to have to defer
23 to Jonathan. This is his project and this is
24 something that's being done through DHCD. I'm not

1 really involved.

2 Mr. Shea: Bring up the other capital asset
3 manager.

4 Mr. Goldfield: Hi, I'm Jonathan Goldfield.
5 So this is the Dublin Street federalization project
6 that is at substantial completion. We did nail it
7 pre-bid construction and the only change order we've
8 had that -- in this threshold that we need to bring
9 to the Board is when the specs were originally
10 drafted, over a year ago, the paving -- the driveway
11 was in better condition and the allocation was only
12 \$1,650. Coming into the current summer, this
13 immediate past summer, when Vareika tried to bring in
14 their pavement subcontractor, they couldn't even
15 mobilize for 1,600. And we tried calling around
16 other contractors as well, and it beard out to be
17 realistic. So DHCD's construction advisor, our
18 architect, we all were trying to figure out how to
19 get this done. And there were just too many cracks
20 involved for \$1,650.

21 So we did a time and materials contract.
22 When we received that amount we juried the value of
23 the pavement and the timing involved, and everybody
24 was working this summer and it was hard to get them

1 in for a small job like this. This is small
2 comparatively. So that's why the time's added. It
3 didn't take them that long to actually do the work.
4 We had to build that into the schedule so that they
5 could find an opening. When they had an opening in
6 their calendar they could come in. And we had to
7 give a roughly 20-day extension.

8 The project still finished this summer. But
9 that's basically the long and short of it. To get to
10 pavement available -- the whole goal is so when we're
11 completely done, the feds will take this apartment
12 complex over into the federal portfolio, which we
13 just discussed before. So this is one component that
14 we needed to do.

15 Mr. Shea: Jonathan, on the page 4 of this
16 submittal, would you just explain to me how -- once
17 again, I'm just asking questions. The math didn't
18 make sense to me. Could you explain to me how the
19 paving amounted to \$11,890 when it's 700 square feet,
20 which is 35 by 20.

21 Now I don't know how to bang a nail into a
22 piece of wood, but this seems to be pretty expensive
23 paving. That's page 4 of the submittal.

24 Mr. Goldfield: I can't speak to --

1 Mr. Shea: I don't know -- divide by 20 or
2 could be different ways, but I mean, I may want to
3 get into the paving business. Because almost
4 \$12,000 -- I mean, that's like -- I don't know, but
5 that's how long -- could you just explain a little
6 bit how the cost of asphalt is so much.

7 Mr. Goldfield: I can't tell you what the
8 market was at the time, but I know that the prices
9 were compared to what the market carries. DHCD has a
10 formula for the cost. This was a grant program.
11 They provided -- this was grant funding anyway. This
12 went through three layers of DHCD as far as approving
13 the change order, and price and comparison was
14 comparable to the market, what they are experiencing.

15 Mr. Shea: Listen, I don't want to belabor
16 the point, but I have a formula too, but I'm in the
17 paving business my formula comes out it should be --
18 in other words, here's the formula and come out with
19 a price. What is his actual cost?

20 Mr. Goldfield: Well I don't have his actual
21 cost. I don't have that.

22 Mr. Shea: I saw that, you know, it's at the
23 end of the packet and I said wait a minute, \$12,000,
24 that's like my driveway, 35 by 20 -- 35 feet long,

1 20 feet wide, it'll cost me \$11,000 to repave it. I
2 don't think so.

3 So they give you these bills and they just
4 say here's my bill. You know, it's no statement to
5 you or Laura. I see Laura over here -- I've been on
6 the Board a little over three years and I go crazy
7 over change orders. I'm not crazy, but I go crazy
8 over change orders. And it's nothing we can do with
9 these guys. It just seems when a guy -- so it's
10 really hard. It's 700 square feet of pavement for
11 \$12,000?

12 Ms. Watts: Is it demo and --

13 Mr. Goldfield: Yeah, they had to clean and
14 demo. And disposal as well.

15 Mr. Shea: I'm going to vote to approve it
16 based on your recommendation. Once again, we have to
17 have a serious discussion and we have to do something
18 to help out our capital asset managers in dealing
19 with some of these contracts. We spend millions of
20 dollars a year in contracts and, you know, it's
21 just -- it's just -- it's not troublesome, that's an
22 exaggeration, but for the record I saw the \$12,000, I
23 mean.

24 Mr. Goldfield: That's an all in price. If

1 you look at the breakdown before that, you're paying
2 for the trucks, the transactional labor, the
3 disposal. You see that. So it's not just the cost
4 of the concrete that goes into that price. It's an
5 all in cost.

6 Mr. Shea: Trust me, we want to have -- it
7 takes five hours to do this work and they're charging
8 12,000. It doesn't even take five hours. Get
9 Aggregate in there from Chelmsford, they will do the
10 work. It's just a question and it's no reflection on
11 you or Laura. It's just a reflection on what's
12 happening to us. We're a public agency. We're here
13 to protect people. Low income people. We don't --
14 you know, we don't own, you know, a condo on Boylston
15 Street in Beacon Hill.

16 Do you have any comments, Mr. Director or
17 Assistant Director on what's going on here?

18 Mr. Wallace: Other than the fact that we
19 want to get this project advanced, it's very close to
20 getting federalization designation.

21 Mr. Shea: We've already discussed this.
22 Okay.

23 Motion by -- I'm sorry, Commissioner
24 Elliott.

1 MR. Elliott: No, no. Mr. Chairman brings
2 up a good point. What was the total cost of the
3 contract?

4 Mr. Goldfield: \$500,700.

5 All of the purchase -- we had a number of
6 other change orders, they were credits and debits.
7 The total change order hit on this contract was under
8 21 percent.

9 MR. Elliott: I think you make a good point.
10 While they're there, while they're doing it. Was
11 this work not anticipated?

12 Mr. Goldfield: Well it was anticipated but
13 not to this extent. The original anticipation was
14 \$1,450. It was a lot more damage than that.

15 MR. Elliott: Sorry, what was the original?

16 Mr. Goldfield: We originally were carrying
17 \$1,650 for asphalt originally. And there was no way
18 we could get it done for that after the year plus
19 down the road, because the market had changed, the
20 availability to get the contractors out, supply
21 demand.

22 MR. Elliott: Okay.

23 Mr. Shea: Thank you.

24 Thank you for -- good job, both of you.

1 Item 7.1.10 -- get my head spinning up here
2 over -- I read that the other night, it was like --
3 I'm just saying to Mony, maybe I missed something.
4 Come on.

5 Okay. As I was saying, Item 7.1.10, motion
6 by Commissioner Rodney Elliott, seconded by
7 Commissioner Joanie Bernes to accept Item
8 Number 7.1.10, and the clerk will call the roll.

9 Mr. Wallace: Chairman Shea.

10 Mr. Shea: Yes.

11 Mr. Wallace: Vice Chairman Var.

12 Mr. Var: Yes.

13 Mr. Wallace: Commissioner Bernes.

14 Ms. Bernes: Yes.

15 Mr. Wallace: Commissioner Elliott.

16 Mr. Elliott: Yes.

17 Mr. Wallace: Four yeas.

18 Mr. Shea: Okay. We'll get through this.

19 Item 7.1.11, and next motion is to basically
20 pay Highland Parkway electrical redistribution to BLW
21 Engineers of Littleton, Massachusetts in the amount
22 not to exceed \$85,000. Electrical service not to
23 exceed that much, \$85,000. Is that per calendar
24 year?

1 Ms. Giblin: This is a capital project.
2 It's part of a capital fund. So we have four years
3 to expend this, two years to obligate it.

4 Mr. Shea: Okay. I see that Laura is up and
5 speaking on behalf of the recommendation. Please
6 come forward.

7 Ms. Watts: I wanted to make sure I wasn't
8 shortchanging Rita, and give her the option to come.

9 Some of you may remember that we had a
10 catastrophic electrical failure at AMP 2 a couple
11 years ago where we had to run the AMP on generators
12 for quite a few months. They repaired what was
13 absolutely necessary at that time. We're considering
14 that phase 1. This motion is to approve our
15 architectural and engineering services to do the rest
16 of the AMP so that we'd go down Avenue A -- or
17 actually kind of behind Avenue A, Morse Street, Doane
18 Street, back up Avenue C so it completes -- it's a
19 complete loop.

20 And they will replace -- I believe there are
21 nine transformers on site, so this is to do the
22 engineering and then we'll go out to bid for the
23 construction work at a later date. But this was to
24 avoid having that issue again at AMP 2.

1 Mr. Shea: That was three years in February.
2 That was a disaster. Almost a disaster.

3 Thank you for the efforts of you guys and
4 Brian Moriarty.

5 Ms. Watts: Brian's team, yeah.

6 Mr. Shea: We got some heat up there on
7 Chelmsford Street.

8 Ms. Watts: This is to avoid that from ever
9 happening again.

10 Mr. Shea: Thank you. Well the
11 recommendation speaks for itself.

12 Motion by Commissioner Rodney Elliott,
13 seconded by Commissioner Joanie Bernes to accept Item
14 7.1.11. The clerk will call the roll.

15 Mr. Wallace: Chairman Shea.

16 Mr. Shea: Yes.

17 Mr. Wallace: Vice Chairman Var.

18 Mr. Var: Yes.

19 Mr. Wallace: Commissioner Bernes.

20 Ms. Bernes: Yes.

21 Mr. Wallace: Commissioner Elliott.

22 Mr. Elliott: Yes.

23 Mr. Wallace: Four yeas.

24 Mr. Shea: Again, Item 7.1.12.

1 Item Number 8, old business. Mr. Clerk, old
2 business?

3 Mr. Wallace: No old business.

4 Mr. Shea: Item Number 9 is new business. 9
5 (a) is motions from Board members. Any motions filed
6 by the Board?

7 And Item Number 9 (b), Executive Director
8 announcement. Any announcements you want to make?

9 Mr. Wallace: Yes. I just want to tell the
10 Board about two grant opportunities we're undertaking
11 right now. We looking at filing by October 20th a
12 \$50,000 grant that's being offered by the Greater
13 Lowell Community Foundation for youth mental health.
14 The staff's working on that. And this week filed a
15 grant for \$15,000 for Mass Housing Society. We were
16 successful in getting I think 7 or \$8,000 from them a
17 couple years ago to do some outdoor art work here,
18 that this courtyard was designed for. That was
19 awarded and at some point either in the November --
20 month of November or early next spring we'll be
21 displaying that art. And that's it.

22 Mr. Shea: Okay. That makes -- you're going
23 to give us a report at the next meeting pertaining to
24 some of our staff that's being paid out of grants.

1 Mr. Wallace: Right.

2 Mr. Shea: And the grant expires and you're
3 going to ask them to renew. And secondly, if not
4 you're going to bring to the Board's attention those
5 employees that may be running out of time over the
6 next 12 to 18 months so we can plan for their
7 retention after the grant money leaves, because we do
8 have some valuable employees and I want to do a
9 budget session this year. And some of them are quite
10 valuable and we don't want to lose the services.
11 Particularly some of those young women.

12 And we also wanted to talk about, and we can
13 talk about it next month also, a little bit about I
14 wanted to continue to encourage some of our employees
15 to continue with their higher education. And I want
16 to see the plan set up -- I know that -- look at the
17 plan as to what we did the last 15 years, and I want
18 to see the plan when we go forward with respect to
19 how we select people and how they, you know, how
20 they're selected and who -- I just wanted -- I want
21 to encourage some of our employees, particularly our
22 young women, to continue to get some additional
23 education. Because they're going to help themselves.
24 I would like to see that plan flourish, because I

1 think it's a good plan. Particularly it's -- I know
2 you took advantage of it. I know Adam took advantage
3 of it. And I know other employees, people are taking
4 advantage of it. Fortunately, of the 22 people who
5 applied for educational funds are people who are
6 still with us, and so we got to try to make an
7 incentive to take it. I don't know if we can ask
8 them to put a clause in there to stay with the agency
9 two to three years afterwards. And I understand that
10 may be or may not be legal. I know in the private
11 industry, I know a young man who works for Price
12 Waterhouse and is going to Sloan School of Business
13 for two years, providing he goes back to work at
14 Price Waterhouse for three. And they'll pay for his
15 -- they'll pay 50 percent of his salary. So I know
16 that it's doable. I just don't want to move forward
17 with a program, educate some -- particularly our
18 younger women, we don't do something for them, they
19 will go elsewhere. They can make more money
20 elsewhere. I do think that's important. And it's
21 something that you started, Mr. Director. It's
22 something that you want to just work with us on to
23 improve so going forward -- so we can encourage our
24 younger people to continue to get some higher

1 education.

2 We have a good staff, but I do think that's
3 a fringe benefit that's enticing to somebody that
4 wants to join the workforce of the Lowell Housing
5 Authority. So with that being the case, I just
6 wanted to put that in the record so we can have a
7 conversation of that, particularly -- I know we're
8 pretty busy in the next 60 days, we will talk about
9 that.

10 With that being the case I'm going to ask
11 for the motion to adjourn, which is -- I want to
12 announce before we do adjourn, the next Board meeting
13 will be held on Wednesday, November 9th at 5 o'clock
14 here at the Mercier Center. And that will be it, as
15 we wrap up another month.

16 So thank you for coming, and with that being
17 the case, there's a motion to adjourn by Commissioner
18 Mony Var, seconded by Commissioner Joanie Bernes, and
19 the clerk will call the roll.

20 Mr. Wallace: Chairman Shea.

21 Mr. Shea: Yes.

22 Mr. Wallace: Vice Chairman Var.

23 Mr. Var: Yes.

24 Mr. Wallace: Commissioner Bernes.

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Ms. Bernes: Yes.

Mr. Wallace: Commissioner Elliott.

Mr. Elliott: Yes.

Mr. Wallace: Four yeas.

(Whereupon the meeting concluded at
6:32 p.m.)