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LOWELL HOUSING AUTHORITY
BOARD OF COMMISSIONERS MEETING
JANUARY 11, 2023

Mercier House
21 Salem Street
Lowell, Massachusetts

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

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Board of Commissioners:

- Philip L. Shea, Chairman
- Joanie L. Bernes, Commissioner
- Mony Var, Commissioner
- Matt Marr, Commissioner
- Rodney Elliott, Commissioner

Lowell Housing Committee:

- Tha Chhan, Interim Executive Director
- Sherry Giblin, Chief Financial Officer
- Kevin J. Murphy, General Counsel

Presentations by:

- Kevin Murphy
- Laura Watts

INDEX

1		
2		<u>Page</u>
3	Opening remarks by Mr. Shea	4
4	Agenda Item 1	4
5	Agenda Item 2	5
6	Agenda Item 3	5
7	Agenda Item 4	5
8	Agenda Item 5	29
9	Agenda Item 7	36
10	Agenda Item 7.1.1	43
11	Agenda Item 8	54
12	Agenda Item 9	54
13	Agenda Item 9(a)	54
14	Agenda Item 9(b)	54
15	Agenda Item 10	56
16		
17		
18		
19		
20		
21		
22		
23		
24		

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

1
2 Mr. Shea: Okay. I just want to call to
3 order the Lowell Housing Authority Board of
4 Commissioner's meeting which is being held today,
5 January 11th. And needless to say, we want to, first
6 of all, welcome our stenographer back, who is now
7 handy and slowly but sure you'll get back on your
8 feet. And of course this is the first meeting of the
9 interim director. We certainly want to welcome
10 Mr. Tha Chhan, sits here tonight as the interim
11 executive director of the Lowell Housing Authority,
12 one of your responsibilities is being the clerk of
13 the committee.

14 So with that being the case, Item Number 1
15 is approval of the minutes of the meeting of
16 December 14th. And with that being the case, you
17 being the clerk, Mr. Chhan, I ask you to call the
18 roll.

19 Mr. Chhan: Thank you.

20 Commissioner Bernes.

21 Ms. Bernes: Here.

22 Mr. Chhan: Commissioner Elliott.

23 Mr. Elliott: Here.

24 Mr. Chhan: Commissioner Marr.

1 Mr. Marr: Here.

2 Mr. Chhan: Commissioner Var.

3 Mr. Var: Here.

4 Mr. Chhan: Chairman Shea.

5 Mr. Shea: Present.

6 Okay. Thank you. That's Item Number 1. As
7 we move to -- as we move to the agenda, Item Number 2
8 is the resident correspondence. I know I asked the
9 clerk, is there any resident correspondence?

10 Mr. Chhan: We do not have any resident
11 correspondence, Mr. Chairman.

12 Mr. Shea: Thank you. That's Item Number 2.
13 Item Number 3 is resident organization.

14 Mr. Chhan: We do not --

15 Mr. Shea: Nothing to report?

16 Mr. Chhan: We do not have any resident
17 organization.

18 Mr. Shea: Item Number 4 is a committee --
19 subcommittee report. I will ask my fellow
20 Commissioners if they have any items to report on the
21 subcommittees. And looking down I see -- oh, I also
22 want to welcome, of course, our general counsel,
23 Kevin Murphy. And also I want to greet our former
24 city councilor, former mayor of the city, now elected

1 state representative who is on the Board, I want to
2 welcome him to the Board tonight. He just got
3 elected the other day, sworn into the legislature,
4 Rodney Elliott is with us.

5 And with that being the case, with respect
6 to the subcommittee reports there's just a couple
7 items that I can talk about just briefly. One of the
8 items I'll talk about is -- was that -- I see Kevin
9 Murphy's over there, he's go to speak later about
10 another matter, but I just want to bring to the
11 attention of the Board of Commissioners that on
12 Monday, December 19th there was a meeting held at
13 Attorney Murphy's office, and the meeting was in
14 regards to the project commonly known as River Edge.
15 And there was about a two-hour meeting, we discussed
16 the future of that project. And in attendance at
17 that meeting was the interim director, Tha Chhan; our
18 chief financial officer, Mrs. Giblin; Gary Wallace,
19 the former director of the housing; myself; and vice
20 chairperson of the executive committee, Mony Var.
21 And they were there with Attorney John Geary who was
22 there with his client, the contractor, Kevin O'Brien,
23 and John Geary from Lowell, Mass. And also at that
24 meeting virtually was Diane Silva representing --

1 she's the president of the development corporation
2 that's trying to develop those final lots. And I'm
3 sorry, I almost forgot one of the most important
4 people that was at the meeting, our chief financial
5 officer, because she controls the checkbook. Anybody
6 that controls the checkbook, that's usually, the
7 queen in her case, and of course Sherry Giblin was
8 there. And we had about a two-hour meeting to have a
9 lot -- they had a good discussion with respect to
10 where we stood, where we were at. I won't go into
11 the details.

12 I will say that we have concluded, and I'll
13 let Attorney Murphy just follow up on my statement
14 pertaining to that meeting, but we basically
15 concluded that Mrs. Giblin and Attorney Murphy will
16 be meeting with them to try to resolve our
17 differences. If they can be resolved. And if they
18 can be resolved, then we'll discuss the project
19 sometime in the spring. If they can't get resolved,
20 then I have a feeling that the executive committee
21 and the Board will probably -- that matter's probably
22 a year from now. Because we have just way too many
23 things on our plate with respect to work with the
24 Board of Commissioners. And we're all part-time

1 volunteer employees.

2 We have the Mercier site to consider, we
3 have -- of course we have River Edge, we have the
4 election of the new executive director. We have to
5 figure out -- I see Mr. Moriarty here. We have to
6 figure out how we're going to get 350 Moody Street
7 back on, 200 residents. That's going to cost 2
8 million or is that going to cost us \$3 million? And
9 that's a project that we never bargained for.
10 Exactly how we're going to pay for it, that still
11 hasn't been determined. Thanks to Mrs. Giblin, she's
12 working with the federal government on that right
13 now.

14 What we have is a committee, we have to
15 interview sometime in the next three to four weeks
16 candidates for the executive director. We have many
17 applicants. And I think that that's going to be
18 presented to us, we're going to have Attorney Murphy
19 talk about that in a few minutes.

20 We have so much on our plate, just keep the
21 doors open and try to help out our 5,500 residents
22 that live in our 1,900 units. And we have so much on
23 our plate for a volunteer board. We have Mony Var
24 who's a very busy tax accountant at this point. We

1 have Joanie who's busy with her family. We have Matt
2 Marr who's in construction. The guys works many days
3 from 5:00 in the morning to 6:00 at night. We have
4 Commissioner Elliott who will be taking his place in
5 the great General Court in Massachusetts. You know,
6 it's just that -- and then have you myself, and some
7 days I'm 81 going on 90. And I'd like to think
8 differently but, you know, it's just been a workout
9 for all of us. And then you have Tha Chhan coming in
10 here for 31 years being the acting executive
11 director, trying to keep everything together.

12 And then of course we all realize what a
13 tremendous effort the employees of the Lowell Housing
14 Authority gave to us during that catastrophe with the
15 flooding.

16 And incidentally I want to congratulate the
17 executive director who informed Tha Chhan and myself
18 that he recognized their employees for duties over
19 and beyond their normal responsibilities with a nice
20 letter and a bonus. I commend the director for doing
21 that. And I also commend Mony Var for accepting that
22 type of a tribute.

23 So as a board, and I'm not too sure people realize
24 it, but we're just five volunteers. And I know that

1 you have heard me say this before, speaking for
2 myself, when I came on the Board, because there's
3 just so much to it, I never signed up for any of
4 this. But luckily those are the cards that we're
5 dealt and of course, you know, we're not
6 psychologists, but we have to deal with, you know,
7 different personalities in the workforce. Sometimes
8 they're helpful and other times they're simply not.

9 So that's a little bit about what's
10 happening with the Board as we begin this new year.
11 And incidentally, just for the record to indicate,
12 before we can actually elect a new director, we have
13 to change the personnel policy, which Attorney Murphy
14 is working on. We have to change the personnel
15 policy because the contract for the new director is
16 tied into the new amended personnel policy. All of
17 that paperwork goes down to Boston to be reviewed and
18 accepted.

19 Once they review and accept it, then it
20 comes back and that's when, apparently, whoever is
21 elected to the job, that's when they're officially
22 designated the director of the Lowell Housing
23 Authority with a contract, it's going to be three
24 years or five years, that's up to the Board. I quite

1 frankly think it should be five. But that's to be
2 determined in the future.

3 And so I only gave you an abbreviated
4 thought process, because that's some of the stuff
5 we're working on. And then there's going to be --
6 after the director is -- after the director is
7 appointed, whoever he or she may be, there's going to
8 be -- at least Mony Var and myself will recommend to
9 the Board coming out of the executive committee that
10 we have a new reorganization of the workforce.

11 The reorganization I think will be to -- be
12 a step in the right direction so everyone will
13 understand who their boss is. I'm not too sure
14 that's the case.

15 And so I just listed four, five different
16 items that this volunteer board, volunteer board, and
17 that's what we have to face. But we signed up for it
18 and we will prevail.

19 So that's kind of a little bit about -- I do
20 have my own calendar -- we're going to ask the Board
21 tonight a little bit about when they want to
22 interview. When they want to start interviewing
23 candidates. Attorney Murphy is going to speak about
24 that. I do know that I'm leaving next week for the

1 West Coast and be gone for a week, and Attorney
2 Murphy I think is leaving. So it'd probably be
3 sometime towards the end of the month. And then,
4 again, we have to try to coordinate this thing so
5 Commissioner Marr, who works all day, Commissioner
6 Elliott, he's going to be at the State House, we're
7 going to try to work around their schedule. And just
8 to -- for these interviews.

9 So that is just a general report of what's
10 transpired and Tha, jeez, I -- you have your work cut
11 out for you just trying to keep all the balls up in
12 the air. But I do think that what you and your staff
13 have done is just tremendous with respect to getting
14 the employees back in that building and -- not the --
15 the residents back in that building in just -- with
16 their lights on and the heat on. Even though we had
17 a \$400,000 investment down there in the basement that
18 got all washed out. And I think we have a check
19 coming for 250, not a million, but that's another
20 discussion for another day. And we'll wait for the
21 federal government to give us the okay to transfer
22 that money out of that account. Some of that money
23 in the scattered site, we're waiting for HUD to give
24 us the permission to spend that money. And of course

1 this other stuff that we've done.

2 And so it's a new day for the housing and
3 it's -- I think it's a step in the right direction.
4 And I'm not going to comment on anything that
5 happened prior to today. I think that would be not
6 the best interest of the Authority. So I have my own
7 private thoughts about a few things, and if they were
8 pleasant I'd be talking about it. But chances are
9 they're not pleasant.

10 So that's basically it. I see Attorney
11 Murphy over there. If you could just follow up and
12 tell us a little about -- I know you've got a lot of
13 stuff on your plate right now, but tell us a little
14 about -- I think you were dealing with Donna Toohey
15 after the incident and everything, can you just kind
16 of like -- incidentally, I want the record to
17 indicate that we're taking our guidance on this
18 election process from Attorney Murphy, because it's
19 more labor than anything. 22 years ago when Gary got
20 elected it was a vote, got three votes and then went
21 down to the restaurant and celebrated. Now we have
22 paperwork to put into Boston. It's a reorganization,
23 a new governor, a new reorganization with the
24 secretary of housing who's going to be -- who's going

1 to be -- who we are going to be dealing with down
2 there. But it doesn't really matter. The most
3 important thing is that we're going to take baby
4 steps. We're going to just keep marching forward.

5 And so with that, Kevin Murphy, for the
6 record, we had a conversation this afternoon. It
7 went for 10 minutes, it ended up going 50. He was
8 explaining to me everything that was going on.

9 Thank you, Attorney Murphy.

10 Mr. Murphy: Thank you, Mr. Chairman and
11 through you the Commissioners.

12 First of all is that the Department of
13 Housing and Community Development have a procedure
14 that we must follow to select a new executive
15 director of the Lowell Housing Authority. So we are
16 following their directives and we are going to
17 proceed according to their regulations in selecting
18 the new executive director.

19 First of all, we have to appoint a selection
20 committee. And so the selection committee is going
21 to be Chairman Shea, Commissioner Var, Donna Toohey
22 who is the human relations officer for the Housing
23 Authority, Sherry Giblin who is the chief financial
24 officer of the Housing Authority, and a tenant. A

1 tenant has to be on the selection committee according
2 to the Department of Communities and Housing
3 Development guidelines.

4 So we were just waiting for the appointment
5 of the tenant who's going to be on the selection
6 committee.

7 We've received a number of applications for the new
8 executive director position. Of course many of these
9 applications came through Indeed.com, which by and
10 large, 99 percent of them were not -- they did not
11 meet the minimum requirements to be the executive
12 director of a large housing authority such as ours.
13 So they were -- they were put aside.

14 The human relations director, Donna Toohey who I met
15 with today, they had whittled the applications down
16 to three individuals who have the qualifications and
17 the experience to lead the Lowell Housing Authority
18 if the Board of Commissioners so desires them to.

19 So those three individuals will be submitted
20 to the selection committee to be interviewed, and a
21 recommendation made by the committee afterwards to
22 the full board of directors -- Board of
23 Commissioners, I should say, who will make the final
24 decision.

1 I would estimate that the interviews will
2 take place by the end of January. And a
3 recommendation will be forthcoming to the Board of
4 Commissioners sometime in early February.
5 But the process is moving forward according to the
6 DHC --

7 Mr. Shea: Sorry, you lost me right there.
8 Say that again. You expect?

9 Mr. Murphy: The interviews to be conducted
10 by the end of January.

11 Mr. Shea: Okay. Thank you.

12 Mr. Murphy: And then a recommendation to
13 the Board of Commissioners sometime in February.

14 Mr. Shea: Again, the meeting, if February
15 is scheduled for the 8th of February.

16 Mr. Murphy: I think we can make that.

17 So it's moving along in compliance with the
18 regulations by DHCD, which we have to comply with
19 because once the Board of Commissioners makes a
20 decision as to who they want to be the next executive
21 director, we have to submit their name along with the
22 proposed contract to DHCD for approval. And then the
23 process will be completed.

24 Mr. Shea: The chair recognizes Commissioner

1 Elliott.

2 Mr. Elliott: Thank you, Mr. Chairman.

3 So Attorney Murphy, will the commissioners
4 be forwarded the list of names of candidates that
5 will be interviewed? Is that going to be a public
6 process?

7 Mr. Murphy: Yes.

8 Mr. Elliott: I'd like to see the interviews
9 myself and/or participate. Or is it just the
10 selection committee?

11 Mr. Murphy: No, the interviews have to be
12 in public. And I'm going to suggest that they will
13 be streamed live so anybody can participate remotely.

14 Mr. Elliott: Okay.

15 Mr. Murphy: And interestingly enough, one
16 of the mandates of DHCD is that the selection of the
17 new executive director has to be held in open
18 session. Not in executive session. So everything
19 has to be fully transparent. The interviews, the
20 selection, everything will be held -- and I
21 understand we're getting better with Zoom. And I
22 think one of the candidates, at least I saw one of
23 the candidates that was very qualified will probably
24 be interviewed by Zoom. So that should be

1 interesting also.

2 Mr. Elliott: That lead me to my second
3 question. I have Zoomed a meeting before and it was
4 -- it was okay. You really -- when you're on the
5 other end you really can't tell who's speaking out
6 here. And the audio's not very good. So can we --
7 if we're going to continue to Zoom, like most
8 governing bodies are, can we get a better system?

9 Ms. Giblin: We are currently -- Rita is
10 working with a vendor to come in and give us a quote
11 on what it will cost to do the equipment. We've been
12 waiting on the vendor. Not for lack of trying.

13 Mr. Elliott: Okay. That's good to know. I
14 do think it's important, and people can Zoom and it
15 would be nice to have a screen here so -- you know,
16 similar to the city council chambers, if you will.
17 I'm not saying we have to go to that extent with
18 multiple cameras, but in order for our residents and
19 others of the community, it would be -- to
20 communicate it would be helpful. And it doesn't seem
21 that the hybrid form of meetings is going away. So,
22 you know, maybe it'll cost us a few dollars. I don't
23 know.

24 Thank you. Thank you, Mr. Chair.

1 Mr. Murphy: That's a great point,
2 Commissioner, because the Housing Authority Board of
3 Commissioners has previously adopted the rule that
4 commissioners can participate in a meeting remotely.
5 So you can participate via Zoom.

6 Mr. Shea: Can you speak up, Kevin.

7 Mr. Murphy: I'm sorry. The Board of
8 Commissioners has previously adopted the rule that
9 commissioners can participate in this meeting
10 remotely by Zoom. So if you were ill or you were not
11 available in the city, you could do it. So it's
12 important to have the Zoom effective in every way.

13 Mr. Shea: Okay. So with all that being
14 said, I have a question for you. Do we have to amend
15 the personnel policy?

16 Mr. Murphy: Not right now, no.

17 Mr. Shea: Well you have to amend the
18 personnel policy before you do a contract to let the
19 next person come in.

20 Mr. Murphy: I'm not so sure about that.
21 Sherry and I are working on that right now. I mean,
22 the only issue we have with DHCD with the contract
23 and our personnel policy manual is that they will not
24 accept the sick leave buyback that we have in our

1 personnel policy manual. So it's something I'm
2 working on in my own mind, as how we can work out
3 that sick leave buyback without punishing somebody.
4 So I'm working on that right now.

5 So at this point in time I don't think we
6 have to amend that personnel policy manual yet. If I
7 do think it's possible, then I'll bring it to the
8 Board of Commissioners.

9 Mr. Shea: Well I think it's -- I talked
10 with the chief financial officer about this and --
11 about amending the personnel policy, and it's a
12 contract that's tied into the personnel policy. I
13 mean, that personnel policy, I was on the executive
14 committee with the Chairman Rodney McMann, and we
15 started to go through the personnel policy. Very
16 conveniently, let's say, we didn't finish the
17 discussion.

18 There's stuff in that personnel policy that
19 should be amended. And if his contract is tied into
20 the personnel policy, well do you amend the personnel
21 policy after you tie a contract into the director?

22 It seems to me as though you have to amend
23 the personnel policy before you go into a contract
24 basis. If that's the case, we're never going to get

1 this done for February. It's going to be March 2nd,
2 which is the first blizzard of the executive
3 committee, the month of March gets moved up, that's
4 our annual meeting. And so we're on a tight schedule
5 if you want to get the thing done by March 2nd, 3rd.
6 I know myself, I'm leaving that Saturday. I'm not
7 coming back until April 7th.

8 So I'm just trying to say that, for the
9 record, there's a lot of work that has to be done to
10 put in place a director. A permanent director. But
11 I do think -- it was brought to my attention you can
12 do the contract pursuant to the personnel policy and
13 if you amend it, I don't think they're going to go
14 along with that down there. And I do know the former
15 director took it -- not took advantage, he looked out
16 for his on benefit and he got 20 percent of his -- he
17 got 30 percent of his retirement money rather than
18 20 percent.

19 And so, you know, there's a -- in a way I
20 can understand why he did what he did. But when I
21 look at all the numbers now I say -- you get what I
22 say.

23 The bottom line is I do think it's important
24 that the personnel policy -- so I'm always sticking

1 that out there because I want to let the Board
2 members know that we have a lot of meetings coming up
3 in the next four to five weeks. And it's pretty
4 tight. And I do think that -- I do think that we're
5 doing ourself a favor, the quicker we get this done
6 the better, to get a permanent person in charge.
7 Because I think -- and it's going to be up to the
8 Board, but I think the place needs a reorganization
9 facelift. And I think that's going to make the new
10 director's, and certainly going to make Mrs. Giblin's
11 life a little bit better than it has been in the
12 past.

13 So with that being the case, do you have a
14 comment about --

15 Mr. Murphy: Yeah, I think obviously
16 whoever's selected as the next executive director is
17 going to impact the personnel policy manual because
18 really the only issue we're talking about is the sick
19 leave buyback. And our personnel policy manual is
20 much more generous relative to sick leave buyback for
21 employees than DHCD will allow the contract.

22 But I'm just saying that I firmly believe
23 that if we just wait until we select the new
24 executive director, I'm going to be able to work out

1 a solution that is going to be beneficial to the
2 Board and the new executive director and DHCD.

3 Mr. Shea: One other question for the
4 record. The city manager last May was elected for
5 the City of Lowell on a five to four vote. I guess
6 it was nine to nothing vote. Did I read correctly
7 that he got elected as the city manager, but he
8 didn't have a contract? He got his contract done
9 afterwards.

10 Mr. Murphy: Right.

11 Mr. Shea: How does that work, Kevin?

12 Mr. Murphy: That's city government, how
13 they do it. But DHCD's regulations say that we have
14 to submit the proposed new executive director along
15 with a contract to them for their approval. So it's
16 totally different than the City of Lowell.

17 Mr. Shea: Okay. I mean, he went to an
18 agency with 200 employees --

19 Mr. Murphy: 1,200.

20 Mr. Shea: Well downtown -- I was going to
21 say 2,000, but I don't know. It doesn't matter.
22 It's just that in my own mind it's like I sorted it
23 out. In talking with you I got the thing sorted out.

24 Mr. Murphy: I think we're going to be able

1 to work it out. It all depends on who is selected as
2 the next executive director is going to dictate how
3 we work it out. But I've already been -- at
4 4 o'clock in the morning, unfortunately, I'm still
5 thinking about these things in my mind. And I think
6 we're going to be able to work it out.

7 Mr. Shea: Commissioner Elliott, please.

8 Mr. Elliott: So can we sort through the
9 schedule now? So the posting's closed.

10 Mr. Murphy: Yes.

11 Mr. Elliott: When did it close?

12 Mr. Murphy: December 30th. Or whatever the
13 end of December is.

14 Mr. Elliott: So it closed almost two weeks
15 ago.

16 Mr. Murphy: Right.

17 Mr. Elliott: HR has essentially gone
18 through these applications, and really there's three
19 qualified candidates.

20 Mr. Murphy: Correct.

21 Mr. Elliott: So those names are going to be
22 forwarded to the selection committee, and then -- so
23 that process can start soon.

24 Mr. Murphy: Correct.

1 Mr. Elliott: Okay.

2 Mr. Murphy: Yes. We had -- the only
3 drawback right now is to get a tenant appointed to
4 the selection committee.

5 Mr. Elliott: And who makes -- does that go
6 through our tenant representative?

7 Mr. Murphy: Yes. Exactly.

8 Mr. Elliott: So she guides with the various
9 -- organizes --

10 Mr. Murphy: Makes a recommendation. Right,
11 Joanie?

12 Ms. Bernes: Yes.

13 Mr. Elliott: Do you expect that's going to
14 take place soon?

15 Mr. Murphy: Yeah, I think the interviews
16 would take place by the end of January.

17 Mr. Elliott: Okay.

18 Mr. Murphy: And then the appointment --
19 it's only three that are being interviewed, they'd be
20 on the same night, hopefully.

21 Mr. Elliott: Right.

22 Mr. Murphy: And then we can either have a
23 special committee meeting, or we could have it at the
24 next board meeting in February, to select a new

1 executive director. But what we're going to do in
2 that interim is come up with a contract also, between
3 the Board and the executive director to submit to
4 DHCD.

5 So there's a lot of work to be done, but we
6 have the time to do it.

7 Mr. Elliott: I'm just thinking about the
8 time frame, and this is important and we're talking
9 around February.

10 Mr. Murphy: Again, I expect that a new
11 executive director will be appointed in February.

12 Mr. Shea: Just for the record, why -- if
13 five members of the board, the city council has nine
14 members of the board and they elected a manager to go
15 -- all participated in the interview process. Why is
16 this board not all? Why aren't all five members
17 allowed to participate in the interview process?

18 Mr. Murphy: Because of the DHCD guidelines
19 is that it's different than the selection of the city
20 manager of Lowell. The selection of the city manager
21 of Lowell is governed by the plan E form of
22 government, whereas the selection of an executive
23 director is governed by the DHCD regulations. And
24 they set up who should be on a selection committee.

1 And after my reading of the regulations, I just
2 thought it was better that we didn't have a majority
3 of the Commissioners on the interview committee. And
4 then they're the ones recommending them to the full
5 Board. Because we could've had Commissioner Bernes
6 as a tenant on the commission, but that would've had
7 a majority of the Commissioners on the interview
8 committee. I just didn't think that was appropriate,
9 according to the DHCD guidelines. So that's why we
10 went with the selection committee that we have, is
11 the two commissioners, not a majority, the CFO, who
12 should be interviewing people about their financial
13 background, the HR director who should be
14 interviewing them about their labor background, and
15 then the tenant who should be interviewing them about
16 what they think tenants need in the Housing
17 Authority.

18 Mr. Shea: Okay. Any other questions by any
19 member? Mony, anything?

20 Mr. Var: Nothing.

21 Mr. Shea: Okay. Thanks an awful lot,
22 Kevin, for that presentation. And for the record, it
23 kind of gives us the official guidance. So maybe
24 down the road, as we go on, we're going to blame you.

1 Mr. Murphy: That's why I get paid. To be
2 blamed.

3 Mr. Shea: Thanks a lot for all of that.

4 The only other item I'd like to just report
5 on Item Number 4 is a question for the director, our
6 executive acting director. Director, on the Martin
7 Luther King day coming up at the end of the month, do
8 we have that day off for the employees? We do? So
9 that Monday -- do you want to send an email out to
10 the employees letting them know that that's -- just
11 remind them.

12 Mr. Chhan: Yes. Thank you.

13 Mr. Shea: That that's -- I did notice that.
14 Because if you give them notice, at least they have a
15 two-week notice that they can have a long weekend or
16 something.

17 So you may want to send that out,
18 Mr. Director, to the employees and let them know --

19 Mr. Chhan: We will.

20 Mr. Shea: -- they have that day off.

21 Mr. Chhan: Thank you.

22 Mr. Shea: So with that being the case, I
23 guess I just ask for a motion by the committee to
24 just accept the -- to put on file a motion to accept

1 the comments that have been made by myself and
2 Attorney Murphy. Commissioner Elliott, seconded by
3 Commissioner Marr to have that -- basically a motion
4 to accept the last 25 minutes of conversation of
5 where we're at, where we're going with respect to the
6 director. With that being the case, the clerk call
7 the roll.

8 Mr. Chhan: Commissioner Bernes.

9 Ms. Bernes: Yes.

10 Mr. Chhan: Commissioner Elliott.

11 Mr. Elliott: Yes.

12 Mr. Chhan: Commission Marr.

13 Mr. Marr: Yes.

14 Mr. Chhan: Commissioner Var.

15 Mr. Var: Yes.

16 Mr. Chhan: Vice Chairman Var. And Chairman
17 Shea.

18 Mr. Shea: Yes.

19 Thank you. Next item is Item Number 4
20 [sic], it's the finance audit report. Of course
21 that's our report by our -- November 30th, 2022. And
22 we have the chief financial officer of the Board,
23 Sherry Giblin.

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

1 The Authority's operating statements for the
2 period ending November 30th, 2022, were provided to
3 the Board. We have completed two months of fiscal
4 year 2023, and to date most programs are exceeding
5 budget estimates. This is typical at this time of
6 the year, as many administrative and maintenance
7 expenses trend lower at the beginning of the year.
8 The majority of our capital and extraordinary items
9 have not been realized to date.

10 Utility expenses are significantly under
11 budget through November due to the reversal of year-
12 end accruals, mainly water which is billed a full
13 quarter in arrears.

14 Rent and subsidiary estimates across all
15 four AMPs are within budget tolerance. October and
16 November operating subsidiary proration were at
17 104 percent. It is important to note that subsidiary
18 proration remained at 104 percent through December.
19 Begin in January proration dropped to 95 percent.

20 Calendar year 2023 subsidiary eligibility
21 has not yet been determined. I will update the Board
22 once HUD releases the subsidiary eligibility
23 processing schedule. This is usually around February
24 or March.

1 Expenses across all major programs are below
2 budget estimates after two months. This is not
3 indicative of true savings but timing issues of large
4 contracts, utilities, quarterly obligations, and
5 year-end activity.

6 As mentioned, utilities were well under
7 budget at the end of November, but this will change
8 as winter progresses and we receive quarterly water
9 and sewer bills.

10 Our maintenance lines are under budget in
11 all three categories. I do fully anticipate
12 maintenance expenses to exceed budget estimates,
13 specifically at AMP 4 due to the flood and overtime
14 that was needed.

15 Insurance and benefits are under budget
16 pending the quarter end December payment of Group
17 Insurance costs. Our other general expense category
18 is also under budget across all AMPS due to
19 collection loss deferral until year end.

20 All programs are exceeding budgeted gains at
21 this point, but this is not expected to carry
22 throughout the year.

23 At this time I'll open it up to any
24 questions.

1 Mr. Shea: Any question by any member of the
2 Board? Hearing none, I just have a couple of
3 thoughts.

4 Could you give us an update with respect to
5 the application applied to HUD pertaining to
6 transferring those funds out of the scattered site
7 housing to work on rebuilding our -- like a structure
8 in the city, if you would.

9 Ms. Giblin: So I filed an application with
10 HUD for emergency grant funding. So HUD cannot
11 obligate those funds to any agencies until they have
12 an operating budget, which was passed on
13 December 29th I believe. I don't know if it's been
14 signed by the president yet. I don't think it has.
15 Until that happens, they won't release any funding.
16 So to date I have not heard anything back from them
17 on that.

18 Mr. Shea: That's funded the new package.
19 I'm talking about transferring money out of the
20 scattered site housing to spend on that.

21 Ms. Giblin: So that I have not submitted.
22 I was waiting to hear back from the grant.

23 Mr. Shea: So you're waiting for the first
24 or the second.

1 Ms. Giblin: Yes.

2 Mr. Shea: Other than that, can you just
3 tell me about -- back in August we put our workforce
4 together to pay overtime to get those 60 vacant units
5 that were just sitting around, and they were doing --
6 they were banging out three or four a week. Is that
7 still in progress or did we put a halt to that?
8 Because it's obvious our budget's going to be really
9 tight this year.

10 Ms. Giblin: So to my knowledge, we are not
11 held to that. I think it was halted because of the
12 flood over at City View, but I believe, and I defer
13 to Brian Moriarty, are we still doing the overtime
14 for the vacancies?

15 Mr. Moriarty: Yes. Just because there's so
16 many and the elevator issues.

17 Mr. Shea: What was the question?

18 Ms. Giblin: So Brian said we are still
19 doing the overtime for the vacant units because of
20 the excessive amounts of vacancies that we have and
21 because we had so many elevators down at AMP 3.

22 Mr. Shea: So we're still doing overtime to
23 push those units out?

24 Ms. Giblin: Yes.

1 Mr. Shea: We had about 60 units back in
2 August, let's say that we identified this, is that
3 still the number or has it increased?

4 Mr. Chhan: Well it has increased
5 drastically because one of the elevators went down
6 January 9th at 43 Summer Street. There was roughly
7 about 30 units; is that correct? Roughly about
8 30 units.

9 Mr. Shea: We have how many down?

10 Mr. Chhan: Well it's not a vacancy, that we
11 have to prepare that before.

12 So the amount of work increase is because we
13 have to prepare the other units for them to move
14 into. But the -- I think the number of units almost
15 remain the same as of today. We look through the
16 whole Housing Authority vacancy, it is roughly about
17 40. Except AMP 3, it's about 10 more in AMP 3. 10
18 to 20 more. So the number is roughly the same at
19 this point.

20 Mr. Shea: Okay. That's all good news.
21 It's just a question of who will be -- it's probably
22 that the dollars are a little closer this year than
23 we had in the last three years because of
24 circumstances and everything, but that's okay. I

1 just want to -- you know, we've had some of this
2 conversation, I'd like to bring it up publicly just
3 so there's a record of it just so, you know, somebody
4 will understand we are trying to do the best we can
5 to cover a lot of the bases if things are necessary.
6 But that back in December, that was overwhelming what
7 happened to -- and thanks to the people that you
8 recognized this week, Tha.

9 I see Mr. Moriarty here, congratulations to
10 those guys because they've worked really hard
11 together with Denise and her staff and Barbara and
12 everybody. I mean, it's just overwhelming what was
13 done to get them back in the building. It was just
14 amazing.

15 But anyhow, I think everyone agrees with
16 that. So with that being the case, I wanted to
17 report this on the committee. Commissioner Joanie
18 Bernes makes a motion to accept the report, second by
19 Vice Chairperson of the committee, Mony Var, on Item
20 Number 5.

21 So with that being the case, motion to
22 accept the report. The clerk will call the roll.

23 Mr. Chhan: Commissioner Bernes.

24 Ms. Bernes: Yes.

1 Mr. Chhan: Commissioner Elliott.

2 Mr. Elliott: Yes.

3 Mr. Chhan: Commissioner Marr.

4 Mr. Marr: Yes.

5 Mr. Chhan: Vice Chair Var.

6 Mr. Var: Yes.

7 Mr. Chhan: Chairman Shea.

8 Mr. Shea: Yes.

9 Item Number 7 is the report of the executive
10 director. Do you have anything you'd like to say,
11 Tha?

12 Mr. Chhan: Yes, Mr. Chairman. I have a few
13 items to report. Through Mr. Chairman I'd like to
14 also say that this is my first meeting, and also it's
15 the first of the New Year, so I would like to welcome
16 everyone here.

17 I have two items that I would like to report
18 to the Board today. As you're aware, the devastating
19 flood occurred at the City View Tower on
20 November 28th resulting in a need to relocate 186
21 family. First through the initial shelter at the
22 senior center, and then to a long-term accommodation
23 at different hotels throughout the greater Lowell
24 area.

1 While away from home residents were provided
2 with a weekly stipend of \$125 for food and
3 necessities. And upon returning home they were
4 provided a \$70 stipend for the holiday. And during
5 this time, especially the first hours that we were
6 aware that there was a flood, seven feet of water in
7 our basement, the Lowell Housing Authority staff come
8 together to assist with the task of relocating
9 residents, removing water, and assessing the damage.
10 I cannot tell you how proud I was of every staff
11 person that made themselves available to assist our
12 residents during this crisis.

13 I want to extend a special thanks to the
14 facility team for the immediate response and
15 oversight in addressing the system issues during this
16 flood. They worked night and day to get the building
17 up and running. Without them I do not believe that
18 our residents would have been back at home before
19 Christmas.

20 And I also want to recognize a member of the
21 executive staff -- executive team rather, the
22 property management team, the maintenance team, and
23 also the leased housing team for their effort in help
24 relocating residents and addressing issues as they

1 arrived.

2 Staff members were exceptional in terms of
3 accepting phone calls from concerned residents and
4 relatives and put them at ease. I am really proud to
5 have witnessed the work of all individuals who were
6 involved during that time.

7 In addition the Red Cross, MEMA, City of
8 Lowell, the senior staff center -- the senior center
9 staff, the community members, other organizations
10 spearheaded by the Jun-Ju Choi, the executive
11 director of the CBA, working in conjunction with Jay
12 Linnehan, Greater Lowell Community Foundation, and
13 Sothea Chimroun, CMAA executive director, and other
14 organizations together and assembled a team to assist
15 our residents throughout this period by monitoring --
16 by providing monetary assistance.

17 Lenzi's, the restaurant in Dracut, also
18 played an important role. They provide food for
19 Christmas, during the Christmas Eve, and also for
20 Christmas day.

21 Mr. Shea: Did you say Christmas Eve?

22 Mr. Chhan: And Christmas day. Yeah, they
23 prepared the food for those two days. Which is
24 amazing.

1 I am overwhelmed and deeply humbled by their
2 response. I sincerely thank everyone for their
3 assistance.

4 Now on December 21st, 2022, while the
5 Housing Authority was still dealing with crisis at
6 the City View Tower, the Authority has another
7 crisis. There was a fire at a state property, at 89
8 -- 189 Walker Street. The property manager, the
9 facility staff were immediately on site to assess the
10 damage and relocate the family to the hotel.

11 The damage was confined to just the living
12 room area -- well of course the whole apartment
13 affected with smoke.

14 DHCD granted the Lowell Housing Authority
15 the waiver to take the unit offline until it can be
16 restored and make ready for reoccupancy.

17 The family was relocated to another
18 apartment at the same building on Saturday -- on
19 Saturday, last Saturday, January 7th. So they're
20 back in the unit now.

21 Currently the City View building is being powered by
22 rental equipment. We are working on the permanent
23 solution. Right now we have request for
24 qualification out and seeking engineering firm to

1 come in and we will have our briefing session on
2 January 18th, 2023, which is next week. Is that?
3 Thank you.

4 Now the other item that -- items that I'd like to
5 report to the Board is pertaining to HUD's
6 notification the beginning of the year. It's typical
7 of the beginning of the year the Housing Authority
8 receives notification from HUD on an award for
9 \$511,000 for the resident opportunity and self-
10 sufficiency grant. We refer to that as the ROSS
11 grant.

12 And the Housing Authority now increased the
13 number of resident coordinator from two to three. We
14 have two right now, with this money we can hire
15 another resident coordinator. This will also -- this
16 is much needed resident assessment, service
17 coordination for our elderly and disabled federal
18 developments.

19 The Housing Authority was also notified by
20 HUD of an award of \$136,000 for the federal family
21 self-sufficiency program. At the same time DHCD also
22 notified us, giving us an award of \$35,000 for the
23 state family self-sufficiency program.

24 And that's all I have to report today.

1 Thank you.

2 Mr. Shea: Thank you, Tha, for that report.

3 Any question to the executive director
4 pertaining to his comments? Commissioner Elliott.

5 Mr. Elliott: Thank you, Mr. Chair.

6 I just have a question on the
7 reimbursements. Clearly this was not a Lowell
8 Housing Authority accident. Through you, Mr. Chair,
9 the executive director or Attorney Murphy, is there
10 going to be what's called a subrogated process,
11 subrogated damages that we will be asking the City of
12 Lowell as a result of the water break or costs that
13 we absorbed? Is subrogation the legal term?

14 Mr. Murphy: That's usually -- that's a term
15 that we use with an insurance company.

16 Mr. Elliott: Okay.

17 Mr. Murphy: I'm not so sure that that's the
18 term, but I think we should be looking into some type
19 of reimbursement from the city relative to the
20 damages that occurred. They do have \$78 million in
21 arbor funds, which I read in the paper that they're
22 now in the process of coming up with a process to
23 apply for those arbor funds. And I would suggest to
24 the staff members of the Housing Authority they look

1 into applying for arbor funds to help alleviate some
2 of those damages.

3 Mr. Elliott: Can I ask you a follow-up
4 question, Attorney Murphy? So during -- I do recall,
5 and maybe you have a better recollection, the city
6 itself insured -- I want to say the city also carried
7 a policy for extreme circumstances. And I want to
8 say 5 million, maybe it's more, but I knew there were
9 some umbrella, anything below that threshold would've
10 been recovered by the city. Is that something that
11 we can look into?

12 Mr. Murphy: Yeah, I mean, I've just been
13 reading the articles, it reminded me of the flood
14 that we had at the Pollard Library. That we had an
15 insurance policy in the city to cover buildings, but
16 the deductible was \$250,000 for each building. So it
17 didn't provide a lot of coverage. But it seems to be
18 the same issue with this insurance policy. It's
19 something that I can discuss with the administration
20 relative to trying to recoup some of the damages we
21 suffered as a result of the flooding.

22 But that is -- I met with the executive
23 director today and his senior administrators and
24 that's one of the issues that came up that we're

1 going to be looking at in the future.

2 Mr. Elliott: Thank you.

3 Mr. Shea: Any other question to the
4 executive director pertaining to his comments?
5 Report? If not, there's a motion by Commissioner
6 Joanie Bernes, seconded by Commissioner Matt Marr to
7 accept the report of the executive director and the
8 clerk will call the roll.

9 Mr. Chhan: Commissioner Bernes.

10 Ms. Bernes: Yes.

11 Mr. Chhan: Commissioner Elliott.

12 Mr. Elliott: Yes.

13 Mr. Chhan: Commissioner Marr.

14 Mr. Marr: Yes.

15 Mr. Chhan: Vice Chair Var.

16 Mr. Var: Yes.

17 Mr. Chhan: Chairman Shea.

18 Mr. Shea: Yes.

19 Next item is Item 7.1.1, motion to approve
20 change order number two, modernization of Lakeview
21 Ave in the amount of \$183,800.70 to New England
22 Builders and Subcontractors. With that being the
23 case we have the director -- we have some information
24 given to us by Rita, our chief procurement officer.

1 And I notice that the next page basically sent to
2 Laura Watts, they're both here, and here's Laura at
3 the microphone. So if you can just walk us through
4 this work that was done out there at the Lakeview
5 Avenue. I guess the case is the fire. Is this the
6 unit where the fire was?

7 Ms. Watts: No, no, no. This is the other
8 end of Lakeview Avenue. These are -- this is the
9 development with 20 existing studio and one bedroom
10 units.

11 Mr. Shea: I see, 20 units.

12 Ms. Watts: Yes. And so we have five
13 buildings situated on a lot of land. In the center
14 middle building we are building an ADA addition off
15 of. And the unit we're building off of, which is
16 currently a studio, will also be converted into a one
17 bedroom ADA.

18 So we're going from 20 units, none of which
19 are ADA accessible, to 21 units, 2 of which will be.

20 A few -- I think maybe two months ago I
21 stood before you with a COR log, change order log,
22 from Next Phase Studios, and I think that you have
23 solely the change order number two in front of you.
24 And I think that if I'm allowed to I'd love to hand

1 you a supplement. Is that allowed? That might make
2 a little more sense to you. Is this allowed?

3 So originally you had a log that looks a lot
4 like this one, and it had some items on it that we
5 knew the prices of, and some items we did not get the
6 prices of. But in the interest of full disclosure, I
7 wanted to put these things on your radar.

8 So as change order number one, we passed
9 quite a few items and you will see them indicated as
10 number 1 on the CO column, that's the 5th column in.
11 And then you'll see some 2s start to appear.

12 Now all of this work has to do with major
13 infrastructure on the site. Once DHCD requested of
14 us to remove the gas stoves that are currently in the
15 units and replace them with electronic -- electric
16 stoves, we determined that our transformer for the
17 property was undersized. So the very first potential
18 change order for change order number 2 is a temporary
19 electrical feeder connection.

20 And then -- so if you have this memo here,
21 this lists all of the things that are included in
22 change order 2. And again, you see more to do with
23 disposing of the soil that is contaminated. You see
24 us opening the street to bring the electrical feed

1 underneath, like you asked, for our new transformer.
2 A lot of soil disposal fees here, and soil treatment
3 and drainage mitigation.

4 So nothing on here should be a surprise to
5 you. They were all sort of introduced in the change
6 order log with number 1. You now have a complete
7 list of all of the tasks above and beyond the scope
8 with pricing. And although it is a significant
9 number, we are confident that the surprises are
10 behind us and there are no more \$100,000 or \$50,000
11 ticket items that would be coming our way.
12 So with that, I open it up to your questions.

13 Mr. Shea: Chair recognizes Commissioner
14 Elliott.

15 Mr. Elliott: Thank you, Mr. Chair.

16 Why are there any surprises? I mean, this
17 is a pretty extensive list.

18 Ms. Watts: So the surprises have everything
19 to do with the condition of the soil and the land
20 itself. And so at the top of the change order log
21 you will see coordination with a \$291,000 price tag.
22 Things that fall in that category are \$107,000 worth
23 of helical piles that we needed for the foundation
24 when we discovered that the existing soil was not

1 compacted and stable enough to build upon.

2 Mr. Elliott: Should we have known that
3 before we proceeded with this?

4 Ms. Watts: Not --

5 Mr. Elliott: It's not as if it's -- we're
6 not reinventing the wheel.

7 Ms. Watts: So we follow -- I'm sorry. This
8 is DHCD's project. We follow their prescription.
9 They bring on their architects. They bring on their
10 officials. Like -- so it's not a procurement process
11 like we have on the HUD side that goes to -- well
12 there was -- I'm sorry, Jonathan was a part of this
13 selection process, but with DHCD I find that they do
14 things a little more fast and loose in terms of
15 testing and getting things ahead of -- you know,
16 before we start we're on the federal side. I think
17 Jonathan and I are very detailed and deliberate and
18 we're going to build a project brick by brick through
19 specifications and plans before it ever hits the real
20 world.

21 So I do think that DHCD plays things a
22 little more fast and loose with these types of
23 projects in my experience. And in particular, the
24 mod phase projects that they selected, these overages

1 are very indicative of what they're seeing in other
2 cities in other housing authorities.

3 Does that make it -- is that a great answer?
4 Is that a great policy? No. But, you know,
5 unfortunately we found -- we did some testing, but
6 the more we did the more different things we found in
7 different locations which required us to do more
8 testing.

9 So just this past week the final number we
10 were waiting for, which is the soil on the left side
11 of the property that in addition to having lead and
12 asbestos, also has arsenic. We found that we now
13 have to treat that soil by mixing in about two tons
14 worth of a chemical compound that will stop that lead
15 from leaching. Because that lead is still active.

16 And so for the place that's disposing of it
17 for us for the very, you know, gracious price of
18 \$94,000, before we can even bring it to them we've
19 got to do a treatment to it.

20 You know, unfortunately, when this
21 development was originally built, they don't have the
22 EPA requirements, environmental policy in place then
23 that they do now. So chances are this development
24 may not have ever gotten built in this location if

1 they had to go through the proper environmental
2 channels that we are now.

3 So now that we know about it, it's on us to
4 make it right. And that's --

5 Mr. Elliott: Got to make it right at the
6 cost of \$407,000 total. I mean, that's -- that's a
7 significant increase in the original cost of the
8 contract involving 263 -- \$3 million, so.

9 Ms. Watts: Yup, so with these proposed
10 change orders, they total about 17 percent of the
11 original cost of the project. Which isn't great, but
12 it's -- is it 20 --

13 Mr. Elliott: I'm not sure, but it just
14 seems someone somewhere somehow didn't do -- I don't
15 know, this contract and the -- where is this money
16 going to be coming from?

17 Ms. Watts: This is coming from some federal
18 grants. None of it is coming from our formula
19 funding. We -- mod phase is a grant in and of itself
20 and then we got a supplemental grant for the move to
21 work.

22 Mr. Chhan: Based on my understanding, we
23 had a discussion this morning in our meeting. I
24 believe this is -- correct me if I'm wrong, but I

1 believe DHCD is paying for this.

2 Ms. Watts: Yes. Yes. So this is a DHCD
3 project. And again, they've seen all of these
4 numbers. They beat them up before I get a chance to
5 even beat them up. And you know, so nothing on here
6 -- they're not objecting to any of these numbers.
7 And these numbers are essentially approve -- the work
8 is essentially approved to be done.

9 How DHCD works is your vote amends their
10 contractors.

11 Mr. Elliott: Okay. Thank you.

12 Mr. Shea: I have a question.

13 Ms. Watts: Sure.

14 Mr. Shea: When did this work start?

15 Ms. Watts: Well I think we finally were
16 able to mobilize in September.

17 Mr. Shea: In September?

18 Ms. Watts: Mm-hmm.

19 Mr. Shea: Four months ago.

20 Ms. Watts: Yes. We're about 50 percent
21 complete. We have -- out of the 20 existing units,
22 we have renovated I think 10 of them. Maybe even 11.
23 I think 10 at this point. And the addition, the ADA
24 addition is built and the roof is on. So we just

1 about have a weather-tight addition. And we
2 anticipate finishing up this spring at the latest.

3 Mr. Shea: If I'm not mistaken, in your
4 numbers you said 3 million --

5 Ms. Watts: About 3.2 I think we're at with
6 the two grants.

7 Mr. Shea: So the total amount's \$3,310,000.
8 And the estimated amount was 2 million 569.

9 Ms. Watts: I'm sorry, say that again.
10 Where are you? Oh, are you getting that off of her
11 -- okay. I don't have that.

12 Mr. Shea: Bottom line is you emphasized the
13 17 percent change order. It's usually 10 percent or
14 lower. This is 17 percent.

15 Ms. Watts: The two together are 17 percent.
16 We don't start to see red flags of people getting --
17 you know, in the office of DHCD at like 20 percent
18 above, that is when things start to become very
19 uncomfortable.

20 Mr. Marr: Bottom line, it's not coming out
21 of our pocket. It's coming out of -- DHCD is
22 covering these expenses.

23 Ms. Watts: Absolutely. Yes.

24 Mr. Marr: Whatever these change orders, it

1 can be a million, two million, five million, nothing
2 comes out of us.

3 Ms. Watts: Okay. So we have what's called
4 our formula funding that each year we're given a lump
5 sum for our state sites. This project is not being
6 paid for out of this money. This project is being
7 paid for by grants that we applied for specifically
8 for this purpose, was to modernize this development
9 and add on to it. And of course we didn't know how
10 bad condition the soil was in until we were into it.

11 Mr. Chhan: Through Mr. Chairman, to answer
12 the question, Commissioner, the answer is yes.

13 Mr. Shea: Did you want to say something,
14 Tha?

15 Mr. Chhan: I just want to answer yes.

16 Mr. Shea: Commissioner Marr indicated just
17 moments ago, and I think Commissioner Elliott was
18 getting at, this is money that's being spent but it's
19 not coming out of any of our funds.

20 Ms. Watts: It's not coming out of our
21 formula funds, which is our annual -- but, you know,
22 I don't want anyone to think we have the impression
23 that it's free money so we can spend whatever we want
24 and it doesn't matter. No, we treat every dollar as

1 if it was coming out of our personal account because
2 it is. These are our resources and there's so much
3 need and not the resources to meet that need.

4 So, you know, this particular development
5 hasn't been touched since it was built. And,
6 unfortunately, when things aren't -- you know, when
7 things are ignored for a period of time they cost
8 more than anticipated to bring them back up.

9 Mr. Marr: Fortunately you applied for these
10 grants and have them in the bank for us.

11 Ms. Watts: Yes.

12 Mr. Shea: Any other question by any
13 commissioner? If not we'll make a motion by
14 Commissioner Matt Marr, seconded by Commissioner
15 Rodney Elliott to accept 7.1.1. The clerk will call
16 the roll.

17 Mr. Chhan: Commissioner Bernes.

18 Ms. Bernes: Yes.

19 Mr. Chhan: Commissioner Elliott.

20 Mr. Elliott: Yes.

21 Mr. Chhan: Commissioner Marr.

22 Mr. Marr: Yes.

23 Mr. Chhan: Vice Chair Var.

24 Mr. Var: Yes.

1 Mr. Chhan: Chairman Shea.

2 Mr. Shea: Yes.

3 Next time is actually number 8, old
4 business. There's nothing?

5 Mr. Chhan: Not that I know of, no.

6 Mr. Shea: Item number 9, new business or
7 motions of the Board. Any motion of the Board
8 members? 9(a) is gone.

9 And 9(b), executive director announcements.
10 Do you have any?

11 Mr. Chhan: I don't have any other
12 announcement.

13 Mr. Shea: Other than the fact that we're
14 going to let the employees know that Martin Luther
15 King is a holiday that they will be off. Just have a
16 memo go out. I'm sure that everyone on the staff --
17 it's just nice to bring up.

18 And incidentally, the next meeting we have
19 is going to be Tuesday [sic], February 8th at
20 5:00 p.m. here at the Mercier Center. That's going
21 to be the next annual meeting.

22 In the meantime we'll be hearing from
23 Attorney Murphy with respect to the interviews. And
24 I just want the record to indicate the statement for

1 myself, I'm available Friday, January 27th; Monday
2 the 30th, January; Tuesday the 31st; Wednesday,
3 February 1st; Thursday, February 2nd; Friday,
4 February 3rd; Monday, February 6th; Tuesday -- I
5 guess Monday maybe should be -- I have Tuesday
6 the 7th. That's right. Okay. So these are the
7 dates, and I'm only one person. Rodney, Matt, they
8 they've got their own schedule. So those are the
9 dates that I can speak for myself.

10 Mr. Murphy: What we'll do is that we'll
11 email everyone with proposed dates and then we'll get
12 a date that is available to everybody to have the
13 interviews so they're aware.

14 Mr. Shea: Kevin, we're going to do all
15 three at once or separate days?

16 Mr. Murphy: I think we should do all three
17 at once. It looks like one is going to be by Zoom
18 and the other two will be in person. I think we can
19 just do the three of them and that's it.

20 Mr. Shea: When are the commissioners going
21 to get the resumes?

22 Mr. Murphy: I asked Donna Toohy today to
23 get the resumes, so it should be this week.

24 Mr. Shea: Okay, well --

1 Mr. Murphy: Hopefully it's this week.

2 Mr. Elliott: Mr. Chair, is it fair to say
3 that at our next board meeting we can plan on taking
4 the vote the next?

5 Mr. Murphy: I think that's within the realm
6 of possibilities, yes. Very much so.

7 Ms. Shea: I think that's the case, he just
8 has to straighten out whether we have to amend the
9 personnel policy.

10 Mr. Murphy: I don't think we're going to
11 have to. If we do, then we'll take care of it before
12 the awarding of the contract. Whatever we have to do
13 to make things right, we'll make sure it's done by
14 February 8th.

15 Mr. Shea: Well you don't think we have to
16 amend it (inaudible)

17 Mr. Murphy: We're meeting tomorrow morning.
18 We'll have that spirited discussion tomorrow morning.

19 Mr. Shea: Thank you for that report. I
20 appreciate it.

21 With that being the case, Item Number 10,
22 motion to adjourn. Vice Chairperson Mony Var makes a
23 motion to adjourn, seconded by Commissioner Joanie
24 Bernes. The clerk will call the roll.

1 Mr. Chhan: Commissioner Bernes.
2 Ms. Bernes: Yes.
3 Mr. Chhan: Commissioner Elliott.
4 Mr. Elliott: Yes.
5 Mr. Chhan: Commissioner Marr.
6 Mr. Marr: Yes.
7 Mr. Chhan: Vice Chair Var.
8 Mr. Var: Yes.
9 Mr. Chhan: And Chairman Shea.
10 Mr. Shea: Yes.
11 (Whereupon the meeting adjourned at 6:20
12 p.m.)
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\$	<p>250 [1] - 12:19 263 [1] - 49:8 27th [1] - 55:1 28th [1] - 36:20 29 [1] - 3:8 29th [1] - 32:13 2nd [3] - 21:1, 21:5, 55:3 2s [1] - 45:11</p>	55:6	42:19	apartment [2] - 39:12, 39:18
<p>\$100,000 [1] - 46:10 \$107,000 [1] - 46:22 \$125 [1] - 37:2 \$136,000 [1] - 40:20 \$183,800.70 [1] - 43:21 \$250,000 [1] - 42:16 \$291,000 [1] - 46:21 \$3,310,000 [1] - 51:7 \$35,000 [1] - 40:22 \$400,000 [1] - 12:17 \$407,000 [1] - 49:6 \$50,000 [1] - 46:10 \$511,000 [1] - 40:9 \$70 [1] - 37:4 \$78 [1] - 41:20 \$94,000 [1] - 48:18</p>	3	8	<p>administrative [1] - 30:6 administrators [1] - 42:23 adopted [2] - 19:3, 19:8 advantage [1] - 21:15 affected [1] - 39:13 afternoon [1] - 14:6 afterwards [2] - 15:21, 23:9 agencies [1] - 32:11 agency [1] - 23:18 agenda [1] - 5:7 Agenda [12] - 3:4, 3:5, 3:6, 3:7, 3:8, 3:9, 3:10, 3:11, 3:12, 3:13, 3:14, 3:15 ago [5] - 13:19, 24:15, 44:20, 50:19, 52:17 agrees [1] - 35:15 ahead [1] - 47:15 air [1] - 12:12 alleviate [1] - 42:1 allow [1] - 22:21 allowed [4] - 26:17, 44:24, 45:1, 45:2 almost [3] - 7:3, 24:14, 34:14 amazing [2] - 35:14, 38:24 amend [8] - 19:14, 19:17, 20:6, 20:20, 20:22, 21:13, 56:8, 56:16 amended [2] - 10:16, 20:19 amending [1] - 20:11 amends [1] - 50:9 amount [3] - 34:12, 43:21, 51:8 amount's [1] - 51:7 amounts [1] - 33:20 AMP [4] - 31:13, 33:21, 34:17 AMPS [1] - 30:15 AMPS [1] - 31:18 announcement [1] - 54:12 announcements [1] - 54:9 annual [3] - 21:4, 52:21, 54:21 answer [4] - 48:3, 52:11, 52:12, 52:15 anticipate [2] - 31:11, 51:2 anticipated [1] - 53:8 anyhow [1] - 35:15</p>	<p>appear [1] - 45:11 applicants [1] - 8:17 application [2] - 32:5, 32:9 applications [4] - 15:7, 15:9, 15:15, 24:18 applied [3] - 32:5, 52:7, 53:9 apply [1] - 41:23 applying [1] - 42:1 appoint [1] - 14:19 appointed [3] - 11:7, 25:3, 26:11 appointment [2] - 15:4, 25:18 appreciate [1] - 56:20 appropriate [1] - 27:8 approval [3] - 4:15, 16:22, 23:15 approve [2] - 43:19, 50:7 approved [1] - 50:8 April [1] - 21:7 arbor [3] - 41:21, 41:23, 42:1 architects [1] - 47:9 area [2] - 36:24, 39:12 arrears [1] - 30:13 arrived [1] - 38:1 arsenic [1] - 48:12 articles [1] - 42:13 asbestos [1] - 48:12 aside [1] - 15:13 assembled [1] - 38:14 assess [1] - 39:9 assessing [1] - 37:9 assessment [1] - 40:16 assist [3] - 37:8, 37:11, 38:14 assistance [2] - 38:16, 39:3 attendance [1] - 6:16 attention [2] - 6:11, 21:11 Attorney [16] - 6:13, 6:21, 7:13, 7:15, 8:18, 10:13, 11:23, 12:1, 13:10, 13:18, 14:9, 17:3, 29:2, 41:9, 42:4, 54:23 audio's [1] - 18:6 audit [1] - 29:20 August [2] - 33:3, 34:2 authorities [1] - 48:2 Authority [21] - 4:3, 4:11, 9:14, 10:23,</p>
1	<p>3 [8] - 3:6, 5:13, 8:8, 33:21, 34:17, 49:8, 51:4 3.2 [1] - 51:5 30 [3] - 21:17, 34:7, 34:8 30th [4] - 24:12, 29:21, 30:2, 55:2 31 [1] - 9:10 31st [1] - 55:2 350 [1] - 8:6 36 [1] - 3:9 3rd [2] - 21:5, 55:4</p>	9	<p>9 [2] - 3:12, 54:6 9(a) [1] - 3:13 9(a)is [1] - 54:8 9(b) [2] - 3:14, 54:9 90 [1] - 9:7 95 [1] - 30:19 99 [1] - 15:10 9th [1] - 34:6</p>	
<p>1 [5] - 3:4, 4:14, 5:6, 45:10, 46:6 1,200 [1] - 23:19 1,900 [1] - 8:22 10 [8] - 3:15, 14:7, 34:17, 50:22, 50:23, 51:13, 56:21 104 [2] - 30:17, 30:18 11 [2] - 1:9, 50:22 11th [1] - 4:5 14th [1] - 4:16 17 [4] - 49:10, 51:13, 51:14, 51:15 186 [1] - 36:20 189 [1] - 39:8 18th [1] - 40:2 19th [1] - 6:12 1st [1] - 55:3</p>	4	A		
	<p>4 [8] - 3:3, 3:4, 3:7, 5:18, 24:4, 28:5, 29:19, 31:13 40 [1] - 34:17 43 [2] - 3:10, 34:6</p>	<p>abbreviated [1] - 11:3 able [4] - 22:24, 23:24, 24:6, 50:16 absolutely [1] - 51:23 absorbed [1] - 41:13 accept [9] - 10:19, 19:24, 28:24, 29:4, 35:18, 35:22, 43:7, 53:15 accepted [1] - 10:18 accepting [2] - 9:21, 38:3 accessible [1] - 44:19 accident [1] - 41:8 accommodation [1] - 36:22 according [4] - 14:17, 15:1, 16:5, 27:9 account [2] - 12:22, 53:1 accountant [1] - 8:24 accruals [1] - 30:12 acting [2] - 9:10, 28:6 active [1] - 48:15 activity [1] - 31:5 ADA [4] - 44:14, 44:17, 44:19, 50:23 add [1] - 52:9 addition [6] - 38:7, 44:14, 48:11, 50:23, 50:24, 51:1 addressing [2] - 37:15, 37:24 adjourn [2] - 56:22, 56:23 adjourned [1] - 57:11 administration [1] -</p>	<p>abbreviated [1] - 11:3 able [4] - 22:24, 23:24, 24:6, 50:16 absolutely [1] - 51:23 absorbed [1] - 41:13 accept [9] - 10:19, 19:24, 28:24, 29:4, 35:18, 35:22, 43:7, 53:15 accepted [1] - 10:18 accepting [2] - 9:21, 38:3 accessible [1] - 44:19 accident [1] - 41:8 accommodation [1] - 36:22 according [4] - 14:17, 15:1, 16:5, 27:9 account [2] - 12:22, 53:1 accountant [1] - 8:24 accruals [1] - 30:12 acting [2] - 9:10, 28:6 active [1] - 48:15 activity [1] - 31:5 ADA [4] - 44:14, 44:17, 44:19, 50:23 add [1] - 52:9 addition [6] - 38:7, 44:14, 48:11, 50:23, 50:24, 51:1 addressing [2] - 37:15, 37:24 adjourn [2] - 56:22, 56:23 adjourned [1] - 57:11 administration [1] -</p>	
2	5			
<p>2 [7] - 3:5, 5:7, 8:7, 44:19, 45:18, 45:22, 51:8 2,000 [1] - 23:21 20 [9] - 21:16, 21:18, 34:18, 44:9, 44:11, 44:18, 49:12, 50:21, 51:17 200 [2] - 8:7, 23:18 2022 [3] - 29:21, 30:2, 39:4 2023 [4] - 1:9, 30:4, 30:20, 40:2 21 [2] - 1:17, 44:19 21st [1] - 39:4 22 [1] - 13:19 25 [1] - 29:4</p>	<p>5 [6] - 3:5, 3:6, 3:7, 3:8, 35:20, 42:8 5,500 [1] - 8:21 50 [2] - 14:7, 50:20 54 [4] - 3:11, 3:12, 3:13, 3:14 56 [1] - 3:15 569 [1] - 51:8 5:00 [2] - 9:3, 54:20 5th [1] - 45:10</p>			
	6			
	<p>60 [2] - 33:4, 34:1 6:00 [1] - 9:3 6:20 [1] - 57:11 6th [1] - 55:4</p>			
	7			
	<p>7 [2] - 3:9, 36:9 7.1.1 [3] - 3:10, 43:19, 53:15 7th [3] - 21:7, 39:19,</p>			

<p>13:6, 14:15, 14:23, 14:24, 15:17, 19:2, 27:17, 34:16, 37:7, 39:5, 39:6, 39:14, 40:7, 40:12, 40:19, 41:8, 41:24</p> <p>AUTHORITY [1] - 1:7</p> <p>authority [1] - 15:12</p> <p>Authority's [1] - 30:1</p> <p>available [4] - 19:11, 37:11, 55:1, 55:12</p> <p>Ave [1] - 43:21</p> <p>Avenue [2] - 44:5, 44:8</p> <p>award [3] - 40:8, 40:20, 40:22</p> <p>awarding [1] - 56:12</p> <p>aware [3] - 36:18, 37:6, 55:13</p> <p>awful [1] - 27:21</p>	<p>18:8, 22:6, 22:11, 27:2, 42:5</p> <p>between [1] - 26:2</p> <p>beyond [2] - 9:19, 46:7</p> <p>billed [1] - 30:12</p> <p>bills [1] - 31:9</p> <p>bit [4] - 10:9, 11:19, 11:21, 22:11</p> <p>blame [1] - 27:24</p> <p>blamed [1] - 28:2</p> <p>blizzard [1] - 21:2</p> <p>board [10] - 8:23, 9:23, 11:16, 15:22, 25:24, 26:13, 26:14, 26:16, 56:3</p> <p>BOARD [1] - 1:8</p> <p>Board [33] - 2:1, 4:3, 6:1, 6:2, 6:11, 7:21, 7:24, 10:2, 10:10, 10:24, 11:9, 11:20, 15:18, 15:22, 16:3, 16:13, 16:19, 19:2, 19:7, 20:8, 22:1, 22:8, 23:2, 26:3, 27:5, 29:22, 30:3, 30:21, 32:2, 36:18, 40:5, 54:7</p> <p>bodies [1] - 18:8</p> <p>bonus [1] - 9:20</p> <p>boss [1] - 11:13</p> <p>Boston [2] - 10:17, 13:22</p> <p>bottom [3] - 21:23, 51:12, 51:20</p> <p>break [1] - 41:12</p> <p>Brian [2] - 33:13, 33:18</p> <p>brick [2] - 47:18</p> <p>briefing [1] - 40:1</p> <p>briefly [1] - 6:7</p> <p>bring [9] - 6:10, 20:7, 35:2, 45:24, 47:9, 48:18, 53:8, 54:17</p> <p>brought [1] - 21:11</p> <p>budget [10] - 30:5, 30:11, 30:15, 31:2, 31:7, 31:10, 31:12, 31:15, 31:18, 32:12</p> <p>budget's [1] - 33:8</p> <p>budgeted [1] - 31:20</p> <p>build [2] - 47:1, 47:18</p> <p>Builders [1] - 43:22</p> <p>building [10] - 12:14, 12:15, 35:13, 37:16, 39:18, 39:21, 42:16, 44:14, 44:15</p> <p>buildings [2] - 42:15, 44:13</p> <p>built [4] - 48:21,</p>	<p>48:24, 50:24, 53:5</p> <p>business [2] - 54:4, 54:6</p> <p>busy [2] - 8:24, 9:1</p> <p>buyback [4] - 19:24, 20:3, 22:19, 22:20</p>	<p>10:14, 31:7, 43:20, 44:21, 44:23, 45:8, 45:18, 45:22, 46:5, 46:20, 49:10, 51:13, 51:24</p> <p>channels [1] - 49:2</p> <p>charge [1] - 22:6</p> <p>check [1] - 12:18</p> <p>checkbook [2] - 7:5, 7:6</p> <p>chemical [1] - 48:14</p> <p>Chhan [35] - 2:9, 4:10, 4:17, 4:19, 4:24, 5:2, 5:10, 5:14, 5:16, 6:17, 9:9, 9:17, 28:12, 28:19, 28:21, 29:8, 29:14, 34:4, 34:10, 35:23, 36:1, 36:7, 36:12, 38:22, 43:9, 43:13, 43:17, 49:22, 52:11, 52:15, 53:17, 53:19, 54:5, 54:11, 57:1</p> <p>chhan [16] - 4:22, 5:4, 29:10, 29:12, 29:16, 36:3, 36:5, 43:11, 43:15, 53:21, 53:23, 54:1, 57:3, 57:5, 57:7, 57:9</p> <p>chief [6] - 6:18, 7:4, 14:23, 20:10, 29:22, 43:24</p> <p>Chief [1] - 2:10</p> <p>Chimroun [1] - 38:13</p> <p>Choi [1] - 38:10</p> <p>Christmas [6] - 37:19, 38:19, 38:20, 38:21, 38:22</p> <p>circumstances [2] - 34:24, 42:7</p> <p>cities [1] - 48:2</p> <p>City [8] - 23:5, 23:16, 33:12, 36:19, 38:7, 39:6, 39:21, 41:11</p> <p>city [16] - 5:24, 18:16, 19:11, 23:4, 23:7, 23:12, 26:13, 26:19, 26:20, 32:8, 41:19, 42:5, 42:6, 42:10, 42:15</p> <p>clearly [1] - 41:7</p> <p>clerk [8] - 4:12, 4:17, 5:9, 29:6, 35:22, 43:8, 53:15, 56:24</p> <p>client [1] - 6:22</p> <p>close [1] - 24:11</p> <p>closed [2] - 24:9, 24:14</p> <p>closer [1] - 34:22</p> <p>CMAA [1] - 38:13</p>	<p>CO [1] - 45:10</p> <p>Coast [1] - 12:1</p> <p>collection [1] - 31:19</p> <p>column [2] - 45:10</p> <p>coming [16] - 9:9, 11:9, 12:19, 21:7, 22:2, 28:7, 41:22, 46:11, 49:16, 49:17, 49:18, 51:20, 51:21, 52:19, 52:20, 53:1</p> <p>commend [2] - 9:20, 9:21</p> <p>comment [2] - 13:4, 22:14</p> <p>comments [3] - 29:1, 41:4, 43:4</p> <p>commission [1] - 27:6</p> <p>Commission [1] - 29:12</p> <p>commissioner [13] - 4:20, 4:22, 24:7, 29:8, 29:10, 35:23, 41:4, 43:9, 43:13, 53:13, 57:1, 57:3, 57:5</p> <p>Commissioner [32] - 2:3, 2:4, 2:5, 2:6, 4:24, 5:2, 9:4, 12:5, 14:21, 16:24, 19:2, 27:5, 29:2, 29:3, 29:14, 35:17, 36:1, 36:3, 43:5, 43:6, 43:11, 46:13, 52:12, 52:16, 52:17, 53:14, 53:17, 53:19, 53:21, 56:23</p> <p>Commissioner's [1] - 4:4</p> <p>commissioners [5] - 17:3, 19:4, 19:9, 27:11, 55:20</p> <p>COMMISSIONERS [1] - 1:8</p> <p>Commissioners [15] - 2:1, 5:20, 6:11, 7:24, 14:11, 15:18, 15:23, 16:4, 16:13, 16:19, 19:3, 19:8, 20:8, 27:3, 27:7</p> <p>committee [25] - 4:13, 5:18, 6:20, 7:20, 8:14, 11:9, 14:20, 15:1, 15:6, 15:20, 15:21, 17:10, 20:14, 21:3, 24:22, 25:4, 25:23, 26:24, 27:3, 27:8, 27:10, 28:23, 35:17, 35:19</p> <p>Committee [1] - 2:8</p> <p>commonly [1] - 6:14</p>
B		C		
<p>baby [1] - 14:3</p> <p>background [2] - 27:13, 27:14</p> <p>bad [1] - 52:10</p> <p>balls [1] - 12:11</p> <p>banging [1] - 33:6</p> <p>bank [1] - 53:10</p> <p>Barbara [1] - 35:11</p> <p>bargained [1] - 8:9</p> <p>based [1] - 49:22</p> <p>basement [2] - 12:17, 37:7</p> <p>bases [1] - 35:5</p> <p>basis [1] - 20:24</p> <p>beat [2] - 50:4, 50:5</p> <p>become [1] - 51:18</p> <p>bedroom [2] - 44:9, 44:17</p> <p>begin [2] - 10:10, 30:19</p> <p>beginning [3] - 30:7, 40:6, 40:7</p> <p>behind [1] - 46:10</p> <p>below [2] - 31:1, 42:9</p> <p>beneficial [1] - 23:1</p> <p>benefit [1] - 21:16</p> <p>benefits [1] - 31:15</p> <p>bernes [3] - 43:10, 53:18, 57:2</p> <p>Bernes [15] - 2:3, 4:20, 4:21, 25:12, 27:5, 29:8, 29:9, 35:18, 35:23, 35:24, 43:6, 43:9, 53:17, 56:24, 57:1</p> <p>best [2] - 13:6, 35:4</p> <p>better [6] - 17:21,</p>	<p>calendar [2] - 11:20, 30:20</p> <p>cameras [1] - 18:18</p> <p>candidates [6] - 8:16, 11:23, 17:4, 17:22, 17:23, 24:19</p> <p>cannot [2] - 32:10, 37:10</p> <p>capital [1] - 30:8</p> <p>cards [1] - 10:4</p> <p>care [1] - 56:11</p> <p>carried [1] - 42:6</p> <p>carry [1] - 31:21</p> <p>case [15] - 4:14, 4:16, 6:5, 7:7, 11:14, 20:24, 22:13, 28:22, 29:6, 35:16, 35:21, 43:23, 44:5, 56:7, 56:21</p> <p>cataprophe [1] - 9:14</p> <p>categories [1] - 31:11</p> <p>category [2] - 31:17, 46:22</p> <p>CBA [1] - 38:11</p> <p>celebrated [1] - 13:21</p> <p>Center [1] - 54:20</p> <p>center [4] - 36:22, 38:8, 44:13</p> <p>certainly [2] - 4:9, 22:10</p> <p>CFO [1] - 27:11</p> <p>chair [6] - 16:24, 18:24, 41:5, 41:8, 46:13, 56:2</p> <p>Chair [5] - 36:5, 43:15, 46:15, 53:23, 57:7</p> <p>Chairman [10] - 2:2, 5:4, 5:11, 14:10, 14:21, 20:14, 29:16, 36:12, 57:9</p> <p>chairman [7] - 17:2, 29:24, 36:7, 36:13, 43:17, 52:11, 54:1</p> <p>chairperson [1] - 6:20</p> <p>Chairperson [2] - 35:19, 56:22</p> <p>chambers [1] - 18:16</p> <p>chance [1] - 50:4</p> <p>chances [2] - 13:8, 48:23</p> <p>change [15] - 10:13,</p>	<p>48:24, 50:24, 53:5</p> <p>business [2] - 54:4, 54:6</p> <p>busy [2] - 8:24, 9:1</p> <p>buyback [4] - 19:24, 20:3, 22:19, 22:20</p>	<p>10:14, 31:7, 43:20, 44:21, 44:23, 45:8, 45:18, 45:22, 46:5, 46:20, 49:10, 51:13, 51:24</p> <p>channels [1] - 49:2</p> <p>charge [1] - 22:6</p> <p>check [1] - 12:18</p> <p>checkbook [2] - 7:5, 7:6</p> <p>chemical [1] - 48:14</p> <p>Chhan [35] - 2:9, 4:10, 4:17, 4:19, 4:24, 5:2, 5:10, 5:14, 5:16, 6:17, 9:9, 9:17, 28:12, 28:19, 28:21, 29:8, 29:14, 34:4, 34:10, 35:23, 36:1, 36:7, 36:12, 38:22, 43:9, 43:13, 43:17, 49:22, 52:11, 52:15, 53:17, 53:19, 54:5, 54:11, 57:1</p> <p>chhan [16] - 4:22, 5:4, 29:10, 29:12, 29:16, 36:3, 36:5, 43:11, 43:15, 53:21, 53:23, 54:1, 57:3, 57:5, 57:7, 57:9</p> <p>chief [6] - 6:18, 7:4, 14:23, 20:10, 29:22, 43:24</p> <p>Chief [1] - 2:10</p> <p>Chimroun [1] - 38:13</p> <p>Choi [1] - 38:10</p> <p>Christmas [6] - 37:19, 38:19, 38:20, 38:21, 38:22</p> <p>circumstances [2] - 34:24, 42:7</p> <p>cities [1] - 48:2</p> <p>City [8] - 23:5, 23:16, 33:12, 36:19, 38:7, 39:6, 39:21, 41:11</p> <p>city [16] - 5:24, 18:16, 19:11, 23:4, 23:7, 23:12, 26:13, 26:19, 26:20, 32:8, 41:19, 42:5, 42:6, 42:10, 42:15</p> <p>clearly [1] - 41:7</p> <p>clerk [8] - 4:12, 4:17, 5:9, 29:6, 35:22, 43:8, 53:15, 56:24</p> <p>client [1] - 6:22</p> <p>close [1] - 24:11</p> <p>closed [2] - 24:9, 24:14</p> <p>closer [1] - 34:22</p> <p>CMAA [1] - 38:13</p>	<p>CO [1] - 45:10</p> <p>Coast [1] - 12:1</p> <p>collection [1] - 31:19</p> <p>column [2] - 45:10</p> <p>coming [16] - 9:9, 11:9, 12:19, 21:7, 22:2, 28:7, 41:22, 46:11, 49:16, 49:17, 49:18, 51:20, 51:21, 52:19, 52:20, 53:1</p> <p>commend [2] - 9:20, 9:21</p> <p>comment [2] - 13:4, 22:14</p> <p>comments [3] - 29:1, 41:4, 43:4</p> <p>commission [1] - 27:6</p> <p>Commission [1] - 29:12</p> <p>commissioner [13] - 4:20, 4:22, 24:7, 29:8, 29:10, 35:23, 41:4, 43:9, 43:13, 53:13, 57:1, 57:3, 57:5</p> <p>Commissioner [32] - 2:3, 2:4, 2:5, 2:6, 4:24, 5:2, 9:4, 12:5, 14:21, 16:24, 19:2, 27:5, 29:2, 29:3, 29:14, 35:17, 36:1, 36:3, 43:5, 43:6, 43:11, 46:13, 52:12, 52:16, 52:17, 53:14, 53:17, 53:19, 53:21, 56:23</p> <p>Commissioner's [1] - 4:4</p> <p>commissioners [5] - 17:3, 19:4, 19:9, 27:11, 55:20</p> <p>COMMISSIONERS [1] - 1:8</p> <p>Commissioners [15] - 2:1, 5:20, 6:11, 7:24, 14:11, 15:18, 15:23, 16:4, 16:13, 16:19, 19:3, 19:8, 20:8, 27:3, 27:7</p> <p>committee [25] - 4:13, 5:18, 6:20, 7:20, 8:14, 11:9, 14:20, 15:1, 15:6, 15:20, 15:21, 17:10, 20:14, 21:3, 24:22, 25:4, 25:23, 26:24, 27:3, 27:8, 27:10, 28:23, 35:17, 35:19</p> <p>Committee [1] - 2:8</p> <p>commonly [1] - 6:14</p>

<p>communicate [1] - 18:20</p> <p>Communities [1] - 15:2</p> <p>community [2] - 18:19, 38:9</p> <p>Community [2] - 14:13, 38:12</p> <p>compact [1] - 47:1</p> <p>company [1] - 41:15</p> <p>complete [2] - 46:6, 50:21</p> <p>completed [2] - 16:23, 30:3</p> <p>compliance [1] - 16:17</p> <p>comply [1] - 16:18</p> <p>compound [1] - 48:14</p> <p>concerned [1] - 38:3</p> <p>concluded [2] - 7:12, 7:15</p> <p>condition [2] - 46:19, 52:10</p> <p>conducted [1] - 16:9</p> <p>confident [1] - 46:9</p> <p>confined [1] - 39:11</p> <p>congratulate [1] - 9:16</p> <p>congratulations [1] - 35:9</p> <p>conjunction [1] - 38:11</p> <p>connection [1] - 45:19</p> <p>consider [1] - 8:2</p> <p>construction [1] - 9:2</p> <p>contaminated [1] - 45:23</p> <p>continue [1] - 18:7</p> <p>contract [18] - 10:15, 10:23, 16:22, 19:18, 19:22, 20:12, 20:19, 20:21, 20:23, 21:12, 22:21, 23:8, 23:15, 26:2, 49:8, 49:15, 56:12</p> <p>contractor [1] - 6:22</p> <p>contractors [1] - 50:10</p> <p>contracts [1] - 31:4</p> <p>controls [2] - 7:5, 7:6</p> <p>conveniently [1] - 20:16</p> <p>conversation [3] - 14:6, 29:4, 35:2</p> <p>converted [1] - 44:16</p> <p>coordinate [1] - 12:4</p> <p>coordination [2] - 40:17, 46:21</p> <p>coordinator [2] - 40:13, 40:15</p>	<p>COR [1] - 44:21</p> <p>corporation [1] - 7:1</p> <p>correct [4] - 24:20, 24:24, 34:7, 49:24</p> <p>correctly [1] - 23:6</p> <p>correspondence [3] - 5:8, 5:9, 5:11</p> <p>cost [8] - 8:7, 8:8, 18:11, 18:22, 49:6, 49:7, 49:11, 53:7</p> <p>costs [2] - 31:17, 41:12</p> <p>could've [1] - 27:5</p> <p>council [2] - 18:16, 26:13</p> <p>councilor [1] - 5:24</p> <p>Counsel [1] - 2:11</p> <p>counsel [1] - 5:22</p> <p>couple [2] - 6:6, 32:2</p> <p>course [11] - 4:8, 5:22, 7:7, 8:3, 9:12, 10:5, 12:24, 15:8, 29:20, 39:12, 52:9</p> <p>Court [1] - 9:5</p> <p>cover [2] - 35:5, 42:15</p> <p>coverage [1] - 42:17</p> <p>covering [1] - 51:22</p> <p>crisis [3] - 37:12, 39:5, 39:7</p> <p>Cross [1] - 38:7</p> <p>cut [1] - 12:10</p>	<p>Department [2] - 14:12, 15:2</p> <p>designated [1] - 10:22</p> <p>desires [1] - 15:18</p> <p>detailed [1] - 47:17</p> <p>details [1] - 7:11</p> <p>determined [4] - 8:11, 11:2, 30:21, 45:16</p> <p>devastating [1] - 36:18</p> <p>develop [1] - 7:2</p> <p>Development [2] - 14:13, 15:3</p> <p>development [6] - 7:1, 44:9, 48:21, 48:23, 52:8, 53:4</p> <p>developments [1] - 40:18</p> <p>DHC [1] - 16:6</p> <p>DHCD [20] - 16:18, 16:22, 17:16, 19:22, 22:21, 23:2, 26:4, 26:18, 26:23, 27:9, 39:14, 40:21, 45:13, 47:13, 47:21, 50:1, 50:2, 50:9, 51:17, 51:21</p> <p>DHCD's [2] - 23:13, 47:8</p> <p>Diane [1] - 6:24</p> <p>dictate [1] - 24:2</p> <p>differences [1] - 7:17</p> <p>different [7] - 10:7, 11:15, 23:16, 26:19, 36:23, 48:6, 48:7</p> <p>differently [1] - 9:8</p> <p>direction [2] - 11:12, 13:3</p> <p>directives [1] - 14:16</p> <p>Director [1] - 2:9</p> <p>director [50] - 4:9, 4:11, 6:17, 6:19, 8:4, 8:16, 9:11, 9:17, 9:20, 10:12, 10:15, 10:22, 11:6, 14:15, 14:18, 15:8, 15:12, 15:14, 16:21, 17:17, 20:21, 21:10, 21:15, 22:16, 22:24, 23:2, 23:14, 24:2, 26:1, 26:3, 26:11, 26:23, 27:13, 28:5, 28:6, 28:18, 29:6, 36:10, 38:11, 38:13, 41:3, 41:9, 42:23, 43:4, 43:7, 43:23, 54:9</p> <p>director's [1] - 22:10</p> <p>directors [1] - 15:22</p> <p>disabled [1] - 40:17</p> <p>disclosure [1] - 45:6</p>	<p>discovered [1] - 46:24</p> <p>discuss [2] - 7:18, 42:19</p> <p>discussed [1] - 6:15</p> <p>discussion [5] - 7:9, 12:20, 20:17, 49:23, 56:18</p> <p>disposal [1] - 46:2</p> <p>disposing [2] - 45:23, 48:16</p> <p>dollar [1] - 52:24</p> <p>dollars [2] - 18:22, 34:22</p> <p>done [12] - 12:13, 13:1, 21:1, 21:5, 21:9, 22:5, 23:8, 26:5, 35:13, 44:4, 50:8, 56:13</p> <p>Donna [4] - 13:14, 14:21, 15:14, 55:22</p> <p>doors [1] - 8:21</p> <p>down [11] - 5:21, 10:17, 12:17, 13:21, 14:1, 15:15, 21:14, 27:24, 33:21, 34:5, 34:9</p> <p>downtown [1] - 23:20</p> <p>Dracut [1] - 38:17</p> <p>drainage [1] - 46:3</p> <p>drastically [1] - 34:5</p> <p>drawback [1] - 25:3</p> <p>dropped [1] - 30:19</p> <p>due [3] - 30:11, 31:13, 31:18</p> <p>during [7] - 9:14, 37:4, 37:12, 37:15, 38:6, 38:19, 42:4</p> <p>duties [1] - 9:18</p>	<p>34:5</p> <p>eligibility [2] - 30:20, 30:22</p> <p>Elliott [44] - 2:6, 4:22, 4:23, 6:4, 9:4, 12:6, 17:1, 17:2, 17:8, 17:14, 18:2, 18:13, 24:7, 24:8, 24:14, 24:17, 25:1, 25:5, 25:8, 25:13, 26:7, 29:2, 29:10, 36:1, 41:4, 41:5, 41:16, 42:3, 43:2, 43:11, 43:12, 46:14, 46:15, 47:2, 47:5, 49:5, 49:13, 50:11, 52:17, 53:15, 53:19, 53:20, 56:2, 57:3</p> <p>elliott [7] - 24:11, 24:21, 25:17, 25:21, 29:11, 36:2, 57:4</p> <p>email [2] - 28:9, 55:11</p> <p>emergency [1] - 32:10</p> <p>emphasized [1] - 51:12</p> <p>employees [10] - 8:1, 9:13, 9:18, 12:14, 22:21, 23:18, 28:8, 28:10, 28:18, 54:14</p> <p>end [13] - 12:3, 16:2, 16:10, 18:5, 24:13, 25:16, 28:7, 30:12, 31:5, 31:7, 31:16, 31:19, 44:8</p> <p>ended [1] - 14:7</p> <p>ending [1] - 30:2</p> <p>engineering [1] - 39:24</p> <p>England [1] - 43:21</p> <p>environmental [2] - 48:22, 49:1</p> <p>EPA [1] - 48:22</p> <p>equipment [2] - 18:11, 39:22</p> <p>especially [1] - 37:5</p> <p>essentially [3] - 24:17, 50:7, 50:8</p> <p>estimate [1] - 16:1</p> <p>estimated [1] - 51:8</p> <p>estimates [4] - 30:5, 30:14, 31:2, 31:12</p> <p>Eve [2] - 38:19, 38:21</p> <p>exactly [2] - 8:10, 25:7</p> <p>exceed [1] - 31:12</p> <p>exceeding [2] - 30:4, 31:20</p> <p>except [1] - 34:17</p> <p>exceptional [1] - 38:2</p> <p>excessive [1] - 33:20</p> <p>executive [38] - 4:11,</p>
	D			
	<p>damage [3] - 37:9, 39:10, 39:11</p> <p>damages [4] - 41:11, 41:20, 42:2, 42:20</p> <p>date [4] - 30:4, 30:9, 32:16, 55:12</p> <p>dates [3] - 55:7, 55:9, 55:11</p> <p>days [4] - 9:2, 9:7, 38:23, 55:15</p> <p>deal [1] - 10:6</p> <p>dealing [3] - 13:14, 14:1, 39:5</p> <p>dealt [1] - 10:5</p> <p>December [9] - 4:16, 6:12, 24:12, 24:13, 30:18, 31:16, 32:13, 35:6, 39:4</p> <p>decision [2] - 15:24, 16:20</p> <p>deductible [1] - 42:16</p> <p>deeply [1] - 39:1</p> <p>defer [1] - 33:12</p> <p>deferral [1] - 31:19</p> <p>deliberate [1] - 47:17</p> <p>Denise [1] - 35:11</p>			
			E	
			<p>early [1] - 16:4</p> <p>ease [1] - 38:4</p> <p>Edge [2] - 6:14, 8:3</p> <p>effective [1] - 19:12</p> <p>effort [2] - 9:13, 37:23</p> <p>either [1] - 25:22</p> <p>elderly [1] - 40:17</p> <p>elect [1] - 10:12</p> <p>elected [7] - 5:24, 6:3, 10:21, 13:20, 23:4, 23:7, 26:14</p> <p>election [2] - 8:4, 13:18</p> <p>electric [1] - 45:15</p> <p>electrical [2] - 45:19, 45:24</p> <p>electronic [1] - 45:15</p> <p>elevator [1] - 33:16</p> <p>elevators [2] - 33:21,</p>	

6:20, 7:20, 8:4, 8:16, 9:10, 9:17, 11:9, 14:14, 14:18, 15:8, 15:11, 16:20, 17:17, 17:18, 20:13, 21:2, 22:16, 22:24, 23:2, 23:14, 24:2, 26:1, 26:3, 26:11, 26:22, 28:6, 36:9, 37:21, 38:10, 38:13, 41:3, 41:9, 42:22, 43:4, 43:7, 54:9 Executive [1] - 2:9 existing [3] - 44:9, 46:24, 50:21 expect [3] - 16:8, 25:13, 26:10 expected [1] - 31:21 expense [1] - 31:17 expenses [5] - 30:7, 30:10, 31:1, 31:12, 51:22 experience [2] - 15:17, 47:23 explaining [1] - 14:8 extend [1] - 37:13 extensive [1] - 46:17 extent [1] - 18:17 extraordinary [1] - 30:8 extreme [1] - 42:7	18:22, 36:12, 44:20, 45:9 figure [2] - 8:5, 8:6 file [1] - 28:24 filed [1] - 32:9 final [3] - 7:2, 15:23, 48:9 finally [1] - 50:15 finance [1] - 29:20 Financial [1] - 2:10 financial [6] - 6:18, 7:4, 14:23, 20:10, 27:12, 29:22 finish [1] - 20:16 finishing [1] - 51:2 fire [3] - 39:7, 44:5, 44:6 firm [1] - 39:24 firmly [1] - 22:22 first [11] - 4:5, 4:8, 14:12, 14:19, 21:2, 32:23, 36:14, 36:15, 36:21, 37:5, 45:17 fiscal [1] - 30:3 five [10] - 9:24, 10:24, 11:1, 11:15, 22:3, 23:5, 26:13, 26:16, 44:12, 52:1 flags [1] - 51:16 flood [6] - 31:13, 33:12, 36:19, 37:6, 37:16, 42:13 flooding [2] - 9:15, 42:21 follow [6] - 7:13, 13:11, 14:14, 42:3, 47:7, 47:8 follow-up [1] - 42:3 following [1] - 14:16 food [3] - 37:2, 38:18, 38:23 forgot [1] - 7:3 form [2] - 18:21, 26:21 former [4] - 5:23, 5:24, 6:19, 21:14 formula [3] - 49:18, 52:4, 52:21 forthcoming [1] - 16:3 fortunately [1] - 53:9 forward [2] - 14:4, 16:5 forwarded [2] - 17:4, 24:22 foundation [1] - 46:23 Foundation [1] - 38:12 four [7] - 8:15, 11:15, 22:3, 23:5, 30:15, 33:6, 50:19 frame [1] - 26:8	frankly [1] - 11:1 free [1] - 52:23 Friday [2] - 55:1, 55:3 front [1] - 44:23 full [4] - 15:22, 27:4, 30:12, 45:6 fully [2] - 17:19, 31:11 funded [1] - 32:18 funding [4] - 32:10, 32:15, 49:19, 52:4 funds [7] - 32:6, 32:11, 41:21, 41:23, 42:1, 52:19, 52:21 future [3] - 6:16, 11:2, 43:1	guys [2] - 9:2, 35:10	I
F		G	H	
face [1] - 11:17 facelift [1] - 22:9 facility [2] - 37:14, 39:9 fact [1] - 54:13 fair [1] - 56:2 fall [1] - 46:22 family [6] - 9:1, 36:21, 39:10, 39:17, 40:20, 40:23 fast [2] - 47:14, 47:22 favor [1] - 22:5 February [15] - 16:4, 16:13, 16:14, 16:15, 21:1, 25:24, 26:9, 26:11, 30:23, 54:19, 55:3, 55:4, 56:14 federal [6] - 8:12, 12:21, 40:17, 40:20, 47:16, 49:17 feed [1] - 45:24 feeder [1] - 45:19 fees [1] - 46:2 feet [2] - 4:8, 37:6 fellow [1] - 5:19 few [6] - 8:19, 13:7	gains [1] - 31:20 Gary [2] - 6:18, 13:19 gas [1] - 45:14 Geary [2] - 6:21, 6:23 General [2] - 2:11, 9:5 general [3] - 5:22, 12:9, 31:17 generous [1] - 22:20 Giblin [15] - 2:10, 6:18, 7:7, 7:15, 8:11, 14:23, 18:9, 29:23, 29:24, 32:9, 32:21, 33:1, 33:10, 33:18, 33:24 Giblin's [1] - 22:10 given [2] - 43:24, 52:4 governed [2] - 26:21, 26:23 governing [1] - 18:8 government [4] - 8:12, 12:21, 23:12, 26:22 governor [1] - 13:23 gracious [1] - 48:17 grant [6] - 32:10, 32:22, 40:10, 40:11, 49:19, 49:20 granted [1] - 39:14 grants [4] - 49:18, 51:6, 52:7, 53:10 great [5] - 9:5, 19:1, 48:3, 48:4, 49:11 greater [1] - 36:23 Greater [1] - 38:12 greet [1] - 5:23 Group [1] - 31:16 guess [4] - 23:5, 28:23, 44:5, 55:5 guidance [2] - 13:17, 27:23 guidelines [3] - 15:3, 26:18, 27:9 guides [1] - 25:8	halt [1] - 33:7 halted [1] - 33:11 hand [1] - 44:24 handy [1] - 4:7 hard [1] - 35:10 hear [1] - 32:22 heard [2] - 10:1, 32:16 hearing [2] - 32:2, 54:22 heat [1] - 12:16 held [5] - 4:4, 6:12, 17:17, 17:20, 33:11 helical [1] - 46:23 help [3] - 8:21, 37:23, 42:1 helpful [2] - 10:8, 18:20 hire [1] - 40:14 hits [1] - 47:19 hmm [1] - 50:18 holiday [2] - 37:4, 54:15 home [3] - 37:1, 37:3, 37:18 hopefully [2] - 25:20, 56:1 hotel [1] - 39:10 hotels [1] - 36:23 hour [2] - 6:15, 7:8 hours [1] - 37:5 House [2] - 1:16, 12:6 housing [8] - 6:19, 13:2, 13:24, 15:12, 32:7, 32:20, 37:23, 48:2 HOUSING [1] - 1:7 Housing [22] - 2:8, 4:3, 4:11, 9:13, 10:22, 14:13, 14:15, 14:22, 14:24, 15:2, 15:17, 19:2, 27:16, 34:16, 37:7, 39:5, 39:14, 40:7, 40:12, 40:19, 41:8, 41:24 HR [2] - 24:17, 27:13 HUD [8] - 12:23, 30:22, 32:5, 32:10, 40:8, 40:20, 47:11 HUD's [1] - 40:5 human [2] - 14:22, 15:14 humbled [1] - 39:1 hybrid [1] - 18:21	identified [1] - 34:2 ignored [1] - 53:7 ill [1] - 19:10 immediate [1] - 37:14 immediately [1] - 39:9 impact [1] - 22:17 important [8] - 7:3, 14:3, 18:14, 19:12, 21:23, 26:8, 30:17, 38:18 impression [1] - 52:22 inaudible [1] - 56:16 incident [1] - 13:15 incidentally [4] - 9:16, 10:11, 13:16, 54:18 included [1] - 45:21 increase [2] - 34:12, 49:7 increased [3] - 34:3, 34:4, 40:12 Indeed.com [1] - 15:9 INDEX [1] - 3:1 indicate [3] - 10:11, 13:17, 54:24 indicated [2] - 45:9, 52:16 indicative [2] - 31:3, 48:1 individuals [3] - 15:16, 15:19, 38:5 information [1] - 43:23 informed [1] - 9:17 infrastructure [1] - 45:13 initial [1] - 36:21 insurance [4] - 31:15, 41:15, 42:15, 42:18 Insurance [1] - 31:17 insured [1] - 42:6 interest [2] - 13:6, 45:6 interesting [1] - 18:1 interestingly [1] - 17:15 Interim [1] - 2:9 interim [4] - 4:9, 4:10, 6:17, 26:2 interview [6] - 8:15, 11:22, 26:15, 26:17, 27:3, 27:7 interviewed [4] - 15:20, 17:5, 17:24, 25:19 interviewing [4] - 11:22, 27:12, 27:14, 27:15 interviews [9] - 12:8,	

16:1, 16:9, 17:8, 17:11, 17:19, 25:15, 54:23, 55:13 introduced [1] - 46:5 investment [1] - 12:17 involved [1] - 38:6 involving [1] - 49:8 issue [3] - 19:22, 22:18, 42:18 issues [5] - 31:3, 33:16, 37:15, 37:24, 42:24 it'd [1] - 12:2 it'll [1] - 18:22 Item [25] - 3:4, 3:5, 3:6, 3:7, 3:8, 3:9, 3:10, 3:11, 3:12, 3:13, 3:14, 3:15, 4:14, 5:6, 5:7, 5:12, 5:13, 5:18, 28:5, 29:19, 35:19, 36:9, 43:19, 54:6, 56:21 item [4] - 28:4, 29:19, 40:4, 43:19 items [12] - 5:20, 6:7, 6:8, 11:16, 30:8, 36:13, 36:17, 40:4, 45:4, 45:5, 45:9, 46:11 itself [3] - 42:6, 46:20, 49:19	55:14 kind [3] - 11:19, 13:15, 27:23 Kind [1] - 28:7 King [1] - 54:15 knowledge [1] - 33:10 known [2] - 6:14, 47:2	41:18, 43:1 looks [2] - 45:3, 55:17 loose [2] - 47:14, 47:22 loss [1] - 31:19 lost [1] - 16:7 love [1] - 44:24 LOWELL [1] - 1:7 Lowell [20] - 1:18, 2:8, 4:3, 4:11, 6:23, 9:13, 10:22, 14:15, 15:17, 23:5, 23:16, 26:20, 26:21, 36:23, 37:7, 38:8, 38:12, 39:14, 41:7, 41:12 lower [2] - 30:7, 51:14 luckily [1] - 10:4 lump [1] - 52:4 Luther [2] - 28:7, 54:14	McMann [1] - 20:14 mean [7] - 19:21, 20:13, 23:17, 35:12, 42:12, 46:16, 49:6 meantime [1] - 54:22 meet [2] - 15:11, 53:3 MEETING [1] - 1:8 meeting [26] - 4:4, 4:8, 4:15, 6:12, 6:13, 6:15, 6:17, 6:24, 7:4, 7:8, 7:14, 7:16, 16:14, 18:3, 19:4, 19:9, 21:4, 25:23, 25:24, 36:14, 49:23, 54:18, 54:21, 56:3, 56:17, 57:11 meetings [2] - 18:21, 22:2 MEMA [1] - 38:7 member [3] - 27:19, 32:1, 37:20 members [8] - 22:2, 26:13, 26:14, 26:16, 38:2, 38:9, 41:24, 54:8 memo [2] - 45:20, 54:16 mentioned [1] - 31:6 mercier [1] - 1:16 Mercier [2] - 8:2, 54:20 met [2] - 15:14, 42:22 microphone [1] - 44:3 middle [1] - 44:14 might [1] - 45:1 million [11] - 8:8, 12:19, 41:20, 42:8, 49:8, 51:4, 51:8, 52:1 mind [3] - 20:2, 23:22, 24:5 minimum [1] - 15:11 minutes [4] - 4:15, 8:19, 14:7, 29:4 mistaken [1] - 51:3 mitigation [1] - 46:3 mixing [1] - 48:13 mobilize [1] - 50:16 mod [2] - 47:24, 49:19 modernization [1] - 43:20 modernize [1] - 52:8 moments [1] - 52:17 Monday [5] - 6:12, 28:9, 55:1, 55:4, 55:5 monetary [1] - 38:16 money [10] - 12:22, 12:24, 21:17, 32:19, 40:14, 49:15, 52:6,	52:18, 52:23 monitoring [1] - 38:15 month [3] - 12:3, 21:3, 28:7 months [4] - 30:3, 31:2, 44:20, 50:19 Mony [8] - 2:4, 6:20, 8:23, 9:21, 11:8, 27:19, 35:19, 56:22 Moody [1] - 8:6 moriarty [2] - 33:15, 35:9 Moriarty [2] - 8:5, 33:13 morning [5] - 9:3, 24:4, 49:23, 56:17, 56:18 most [4] - 7:3, 14:2, 18:7, 30:4 motion [11] - 28:23, 28:24, 29:3, 35:18, 35:21, 43:5, 43:19, 53:13, 54:7, 56:22, 56:23 motions [1] - 54:7 move [4] - 5:7, 34:13, 49:20 moved [1] - 21:3 moving [2] - 16:5, 16:17 multiple [1] - 18:18 murphy [5] - 24:10, 24:20, 25:10, 25:18, 25:22 Murphy [53] - 2:11, 2:14, 5:23, 7:13, 7:15, 8:18, 10:13, 11:23, 12:2, 13:11, 13:18, 14:5, 14:9, 14:10, 16:9, 16:12, 16:16, 17:3, 17:7, 17:11, 17:15, 19:1, 19:7, 19:16, 19:20, 22:15, 23:10, 23:12, 23:19, 23:24, 24:12, 24:16, 24:24, 25:2, 25:7, 25:15, 26:10, 26:18, 28:1, 29:2, 41:9, 41:14, 41:17, 42:4, 42:12, 54:23, 55:10, 55:16, 55:22, 56:1, 56:5, 56:10, 56:17 Murphy's [2] - 6:9, 6:13 must [1] - 14:14	
J	labor [2] - 13:19, 27:14 lack [1] - 18:12 Lakeview [3] - 43:20, 44:4, 44:8 land [2] - 44:13, 46:19 large [3] - 15:10, 15:12, 31:3 last [4] - 23:4, 29:4, 34:23, 39:19 latest [1] - 51:2 Laura [3] - 2:15, 44:2 leaching [1] - 48:15 lead [5] - 15:17, 18:2, 48:11, 48:14, 48:15 leased [1] - 37:23 least [3] - 11:8, 17:22, 28:14 leave [4] - 19:24, 20:3, 22:19, 22:20 leaving [3] - 11:24, 12:2, 21:6 left [1] - 48:10 legal [1] - 41:13 legislature [1] - 6:3 Lenzi's [1] - 38:17 letter [1] - 9:20 letting [1] - 28:10 Library [1] - 42:14 life [1] - 22:11 lights [1] - 12:16 line [3] - 21:23, 51:12, 51:20 lines [1] - 31:10 Linnehan [1] - 38:12 list [3] - 17:4, 46:7, 46:17 listed [1] - 11:15 lists [1] - 45:21 live [2] - 8:22, 17:13 living [1] - 39:11 location [1] - 48:24 locations [1] - 48:7 log [5] - 44:21, 45:3, 46:6, 46:20 long-term [1] - 36:22 look [4] - 21:21, 34:15, 41:24, 42:11 looked [1] - 21:15 looking [3] - 5:21,	M	maintenance [4] - 30:6, 31:10, 31:12, 37:22 major [2] - 31:1, 45:12 majority [4] - 27:2, 27:7, 27:11, 30:8 management [1] - 37:22 manager [6] - 23:4, 23:7, 26:14, 26:20, 39:8 mandates [1] - 17:16 manual [5] - 19:23, 20:1, 20:6, 22:17, 22:19 March [4] - 21:1, 21:3, 21:5, 30:24 marching [1] - 14:4 marr [4] - 29:13, 36:4, 43:14, 57:6 Marr [18] - 2:5, 4:24, 5:1, 9:2, 12:5, 29:3, 29:12, 36:3, 43:6, 43:13, 51:20, 51:24, 52:16, 53:9, 53:14, 53:21, 53:22, 57:5 Martin [2] - 28:6, 54:14 Mass [1] - 6:23 Massachusetts [2] - 1:18, 9:5 Matt [5] - 2:5, 9:1, 43:6, 53:14, 55:7 matter [4] - 6:10, 14:2, 23:21, 52:24 matter's [1] - 7:21 mayor [1] - 5:24	MEMA [1] - 38:7 member [3] - 27:19, 32:1, 37:20 members [8] - 22:2, 26:13, 26:14, 26:16, 38:2, 38:9, 41:24, 54:8 memo [2] - 45:20, 54:16 mentioned [1] - 31:6 mercier [1] - 1:16 Mercier [2] - 8:2, 54:20 met [2] - 15:14, 42:22 microphone [1] - 44:3 middle [1] - 44:14 might [1] - 45:1 million [11] - 8:8, 12:19, 41:20, 42:8, 49:8, 51:4, 51:8, 52:1 mind [3] - 20:2, 23:22, 24:5 minimum [1] - 15:11 minutes [4] - 4:15, 8:19, 14:7, 29:4 mistaken [1] - 51:3 mitigation [1] - 46:3 mixing [1] - 48:13 mobilize [1] - 50:16 mod [2] - 47:24, 49:19 modernization [1] - 43:20 modernize [1] - 52:8 moments [1] - 52:17 Monday [5] - 6:12, 28:9, 55:1, 55:4, 55:5 monetary [1] - 38:16 money [10] - 12:22, 12:24, 21:17, 32:19, 40:14, 49:15, 52:6,	move [4] - 5:7, 34:13, 49:20 moved [1] - 21:3 moving [2] - 16:5, 16:17 multiple [1] - 18:18 murphy [5] - 24:10, 24:20, 25:10, 25:18, 25:22 Murphy [53] - 2:11, 2:14, 5:23, 7:13, 7:15, 8:18, 10:13, 11:23, 12:2, 13:11, 13:18, 14:5, 14:9, 14:10, 16:9, 16:12, 16:16, 17:3, 17:7, 17:11, 17:15, 19:1, 19:7, 19:16, 19:20, 22:15, 23:10, 23:12, 23:19, 23:24, 24:12, 24:16, 24:24, 25:2, 25:7, 25:15, 26:10, 26:18, 28:1, 29:2, 41:9, 41:14, 41:17, 42:4, 42:12, 54:23, 55:10, 55:16, 55:22, 56:1, 56:5, 56:10, 56:17 Murphy's [2] - 6:9, 6:13 must [1] - 14:14
K	keep [4] - 8:20, 9:11, 12:11, 14:4 Kevin [10] - 2:11, 2:14, 5:23, 6:8, 6:22, 14:5, 19:6, 23:11, 27:22,	N	name [1] - 16:21		

<p>names [2] - 17:4, 24:21</p> <p>necessary [1] - 35:5</p> <p>necessities [1] - 37:3</p> <p>need [4] - 27:16, 36:20, 53:3</p> <p>needed [3] - 31:14, 40:16, 46:23</p> <p>needless [1] - 4:5</p> <p>needs [1] - 22:8</p> <p>never [3] - 8:9, 10:3, 20:24</p> <p>New [2] - 36:15, 43:21</p> <p>new [22] - 8:4, 10:10, 10:12, 10:15, 10:16, 11:10, 13:2, 13:23, 14:14, 14:18, 15:7, 17:17, 22:9, 22:23, 23:2, 23:14, 25:24, 26:10, 32:18, 46:1, 54:6</p> <p>news [1] - 34:20</p> <p>Next [1] - 44:22</p> <p>next [17] - 8:15, 11:24, 16:20, 19:19, 22:3, 22:16, 24:2, 25:24, 29:19, 40:2, 43:19, 44:1, 54:3, 54:18, 54:21, 56:3, 56:4</p> <p>nice [3] - 9:19, 18:15, 54:17</p> <p>night [3] - 9:3, 25:20, 37:16</p> <p>nine [2] - 23:6, 26:13</p> <p>none [3] - 32:2, 44:18, 49:18</p> <p>normal [1] - 9:19</p> <p>note [1] - 30:17</p> <p>nothing [7] - 5:15, 23:6, 27:20, 46:4, 50:5, 52:1, 54:4</p> <p>notice [4] - 28:13, 28:14, 28:15, 44:1</p> <p>notification [2] - 40:6, 40:8</p> <p>notified [2] - 40:19, 40:22</p> <p>November [6] - 29:21, 30:2, 30:11, 30:16, 31:7, 36:20</p> <p>Number [10] - 4:14, 5:6, 5:7, 5:13, 5:18, 28:5, 29:19, 35:20, 36:9, 56:21</p> <p>number [15] - 15:7, 34:3, 34:14, 34:18, 40:13, 43:20, 44:23, 45:8, 45:10, 45:18, 46:6, 46:9, 48:9, 54:3, 54:6</p>	<p>Number2 [1] - 5:12</p> <p>numbers [5] - 21:21, 50:4, 50:6, 50:7, 51:4</p> <p style="text-align: center;">O</p> <p>O'Brien [1] - 6:22</p> <p>o'clock [1] - 24:4</p> <p>objecting [1] - 50:6</p> <p>obligate [1] - 32:11</p> <p>obligations [1] - 31:4</p> <p>obvious [1] - 33:8</p> <p>obviously [1] - 22:15</p> <p>occurred [2] - 36:19, 41:20</p> <p>October [1] - 30:15</p> <p>OF [1] - 1:8</p> <p>office [2] - 6:13, 51:17</p> <p>Officer [1] - 2:10</p> <p>officer [7] - 6:18, 7:5, 14:22, 14:24, 20:10, 29:22, 43:24</p> <p>official [1] - 27:23</p> <p>officially [1] - 10:21</p> <p>officials [1] - 47:10</p> <p>offline [1] - 39:15</p> <p>old [1] - 54:3</p> <p>once [6] - 10:19, 16:19, 30:22, 45:13, 55:15, 55:17</p> <p>one [15] - 4:12, 6:7, 7:3, 17:15, 17:22, 23:3, 34:5, 42:24, 44:9, 44:16, 45:4, 45:8, 55:7, 55:17</p> <p>ones [1] - 27:4</p> <p>open [4] - 8:21, 17:17, 31:23, 46:12</p> <p>opening [1] - 45:24</p> <p>Opening [1] - 3:3</p> <p>operating [3] - 30:1, 30:16, 32:12</p> <p>opportunity [1] - 40:9</p> <p>order [12] - 4:3, 18:18, 43:20, 44:21, 44:23, 45:8, 45:18, 45:22, 46:6, 46:20, 51:13</p> <p>orders [2] - 49:10, 51:24</p> <p>organization [2] - 5:13, 5:17</p> <p>organizations [2] - 38:9, 38:14</p> <p>organizes [1] - 25:9</p> <p>original [2] - 49:7, 49:11</p> <p>originally [2] - 45:3, 48:21</p> <p>ourselves [1] - 22:5</p>	<p>overages [1] - 47:24</p> <p>oversight [1] - 37:15</p> <p>overtime [5] - 31:13, 33:4, 33:13, 33:19, 33:22</p> <p>overwhelmed [1] - 39:1</p> <p>overwhelming [2] - 35:6, 35:12</p> <p>own [5] - 11:20, 13:6, 20:2, 23:22, 55:8</p> <p style="text-align: center;">P</p> <p>p.m. [2] - 54:20, 57:12</p> <p>package [1] - 32:18</p> <p>Page [1] - 3:2</p> <p>page [1] - 44:1</p> <p>paid [3] - 28:1, 52:6, 52:7</p> <p>paper [1] - 41:21</p> <p>paperwork [2] - 10:17, 13:22</p> <p>part [2] - 7:24, 47:12</p> <p>part-time [1] - 7:24</p> <p>participate [6] - 17:9, 17:13, 19:4, 19:5, 19:9, 26:17</p> <p>participated [1] - 26:15</p> <p>particular [2] - 47:23, 53:4</p> <p>passed [2] - 32:12, 45:8</p> <p>past [2] - 22:12, 48:9</p> <p>pay [2] - 8:10, 33:4</p> <p>paying [1] - 50:1</p> <p>payment [1] - 31:16</p> <p>pending [1] - 31:16</p> <p>people [6] - 7:4, 9:23, 18:14, 27:12, 35:7, 51:16</p> <p>percent [14] - 15:10, 21:16, 21:17, 21:18, 30:17, 30:18, 30:19, 49:10, 50:20, 51:13, 51:14, 51:15, 51:17</p> <p>period [3] - 30:2, 38:15, 53:7</p> <p>permanent [3] - 21:10, 22:6, 39:22</p> <p>permission [1] - 12:24</p> <p>person [5] - 19:19, 22:6, 37:11, 55:7, 55:18</p> <p>personal [1] - 53:1</p> <p>personalities [1] - 10:7</p> <p>personnel [2] - 10:13, 10:14, 10:16,</p>	<p>19:15, 19:18, 19:23, 20:1, 20:6, 20:11, 20:12, 20:13, 20:15, 20:18, 20:20, 20:23, 21:12, 21:24, 22:17, 22:19, 56:9</p> <p>pertaining [5] - 7:14, 32:5, 40:5, 41:4, 43:4</p> <p>phase [2] - 47:24, 49:19</p> <p>Phase [1] - 44:22</p> <p>Philip [1] - 2:2</p> <p>phone [1] - 38:3</p> <p>piles [1] - 46:23</p> <p>place [8] - 9:4, 16:2, 21:10, 22:8, 25:14, 25:16, 48:16, 48:22</p> <p>plan [2] - 26:21, 56:3</p> <p>plans [1] - 47:19</p> <p>plate [4] - 7:23, 8:20, 8:23, 13:13</p> <p>played [1] - 38:18</p> <p>plays [1] - 47:21</p> <p>pleasant [2] - 13:8, 13:9</p> <p>pocket [1] - 51:21</p> <p>point [6] - 8:24, 19:1, 20:5, 31:21, 34:19, 50:23</p> <p>policy [26] - 10:13, 10:15, 10:16, 19:15, 19:18, 19:23, 20:1, 20:6, 20:11, 20:12, 20:13, 20:15, 20:18, 20:20, 20:21, 20:23, 21:12, 21:24, 22:17, 22:19, 42:7, 42:15, 42:18, 48:4, 48:22, 56:9</p> <p>Pollard [1] - 42:14</p> <p>position [1] - 15:8</p> <p>possibilities [1] - 56:6</p> <p>possible [1] - 20:7</p> <p>posting's [1] - 24:9</p> <p>potential [1] - 45:17</p> <p>powered [1] - 39:21</p> <p>prepare [2] - 34:11, 34:13</p> <p>prepared [1] - 38:23</p> <p>prescription [1] - 47:8</p> <p>present [1] - 5:5</p> <p>presentation [1] - 27:22</p> <p>Presentations [1] - 2:13</p> <p>presented [1] - 8:18</p> <p>president [2] - 7:1, 32:14</p> <p>pretty [2] - 22:3, 46:17</p>	<p>prevail [1] - 11:18</p> <p>previously [2] - 19:3, 19:8</p> <p>price [2] - 46:21, 48:17</p> <p>prices [2] - 45:5, 45:6</p> <p>pricing [1] - 46:8</p> <p>private [1] - 13:7</p> <p>procedure [1] - 14:13</p> <p>proceed [1] - 14:17</p> <p>proceeded [1] - 47:3</p> <p>PROCEEDINGS [1] - 4:1</p> <p>process [13] - 11:4, 13:18, 16:5, 16:23, 17:6, 24:23, 26:15, 26:17, 41:10, 41:22, 47:10, 47:13</p> <p>processing [1] - 30:23</p> <p>procurement [2] - 43:24, 47:10</p> <p>program [2] - 40:21, 40:23</p> <p>programs [3] - 30:4, 31:1, 31:20</p> <p>progress [1] - 33:7</p> <p>progresses [1] - 31:8</p> <p>project [10] - 6:14, 6:16, 7:18, 8:9, 47:8, 47:18, 49:11, 50:3, 52:5, 52:6</p> <p>projects [2] - 47:23, 47:24</p> <p>proper [1] - 49:1</p> <p>property [5] - 37:22, 39:7, 39:8, 45:17, 48:11</p> <p>proposed [4] - 16:22, 23:14, 49:9, 55:11</p> <p>proration [3] - 30:16, 30:18, 30:19</p> <p>proud [2] - 37:10, 38:4</p> <p>provide [2] - 38:18, 42:17</p> <p>provided [3] - 30:2, 37:1, 37:4</p> <p>providing [1] - 38:16</p> <p>psychologists [1] - 10:6</p> <p>public [2] - 17:5, 17:12</p> <p>publicly [1] - 35:2</p> <p>punishing [1] - 20:3</p> <p>purpose [1] - 52:8</p> <p>pursuant [1] - 21:12</p> <p>push [1] - 33:23</p> <p>put [8] - 13:22, 15:13, 21:10, 28:24, 33:3, 33:7, 38:4, 45:7</p>
--	--	--	---	---

Q	<p>regards [1] - 6:14 regulations [5] - 14:17, 16:18, 23:13, 26:23, 27:1 reimbursement [1] - 41:19 reimbursements [1] - 41:7 reinventing [1] - 47:6 relations [2] - 14:22, 15:14 relative [3] - 22:20, 41:19, 42:20 relatives [1] - 38:4 release [1] - 32:15 releases [1] - 30:22 relocate [2] - 36:20, 39:10 relocated [1] - 39:17 relocating [2] - 37:8, 37:24 remain [1] - 34:15 remained [1] - 30:18 remarks [1] - 3:3 remind [1] - 28:11 reminded [1] - 42:13 remotely [3] - 17:13, 19:4, 19:10 remove [1] - 45:14 removing [1] - 37:9 renovated [1] - 50:22 rent [1] - 30:14 rental [1] - 39:22 reoccupancy [1] - 39:16 reorganization [5] - 11:10, 11:11, 13:22, 13:23, 22:8 replace [1] - 45:15 report [19] - 5:15, 5:19, 5:20, 12:9, 28:4, 29:20, 29:21, 35:17, 35:18, 35:22, 36:9, 36:13, 36:17, 40:5, 40:24, 41:2, 43:5, 43:7, 56:19 Reported [1] - 1:24 reports [1] - 6:6 representative [2] - 6:1, 25:6 representing [1] - 6:24 request [1] - 39:23 requested [1] - 45:13 required [1] - 48:7 requirements [2] - 15:11, 48:22 resident [9] - 5:8, 5:9, 5:10, 5:13, 5:16, 40:9, 40:13, 40:15,</p>	<p>40:16 residents [11] - 8:7, 8:21, 12:15, 18:18, 37:1, 37:9, 37:12, 37:18, 37:24, 38:3, 38:15 resolve [1] - 7:16 resolved [3] - 7:17, 7:18, 7:19 resources [2] - 53:2, 53:3 respect [7] - 6:5, 7:9, 7:23, 12:13, 29:5, 32:4, 54:23 response [2] - 37:14, 39:2 responsibilities [2] - 4:12, 9:19 restaurant [2] - 13:21, 38:17 restored [1] - 39:16 result [2] - 41:12, 42:21 resulting [1] - 36:20 resumes [2] - 55:21, 55:23 retirement [1] - 21:17 returning [1] - 37:3 reversal [1] - 30:11 review [1] - 10:19 reviewed [1] - 10:17 Rita [2] - 18:9, 43:24 River [2] - 6:14, 8:3 road [1] - 27:24 Rodney [5] - 2:6, 6:4, 20:14, 53:15, 55:7 role [1] - 38:18 roll [6] - 4:18, 29:7, 35:22, 43:8, 53:16, 56:24 roof [1] - 50:24 room [1] - 39:12 ROSS [1] - 40:10 roughly [4] - 34:6, 34:7, 34:16, 34:18 rule [2] - 19:3, 19:8 running [1] - 37:17</p>	<p>scheduled [1] - 16:15 scope [1] - 46:7 screen [1] - 18:15 second [3] - 18:2, 32:24, 35:18 seconded [4] - 29:2, 43:6, 53:14, 56:23 secretary [1] - 13:24 see [13] - 5:21, 6:8, 8:5, 13:10, 17:8, 35:9, 44:11, 45:9, 45:11, 45:22, 45:23, 46:21, 51:16 seeing [1] - 48:1 seeking [1] - 39:24 seem [1] - 18:20 select [3] - 14:14, 22:23, 25:24 selected [3] - 22:16, 24:1, 47:24 selecting [1] - 14:17 selection [16] - 14:19, 14:20, 15:1, 15:5, 15:20, 17:10, 17:16, 17:20, 24:22, 25:4, 26:19, 26:20, 26:22, 26:24, 27:10, 47:13 self [3] - 40:9, 40:21, 40:23 self-sufficiency [2] - 40:21, 40:23 send [2] - 28:9, 28:17 senior [4] - 36:22, 38:8, 42:23 sense [1] - 45:2 sent [1] - 44:1 separate [1] - 55:15 September [2] - 50:16, 50:17 service [1] - 40:16 session [3] - 17:18, 40:1 set [1] - 26:24 seven [1] - 37:6 sewer [1] - 31:9 Shea [63] - 2:2, 3:3, 4:2, 5:4, 5:5, 5:12, 5:15, 5:18, 14:21, 16:7, 16:11, 16:14, 16:24, 19:6, 19:13, 19:17, 20:9, 23:3, 23:11, 23:20, 26:12, 27:18, 27:21, 28:3, 28:13, 28:20, 28:22, 29:17, 32:1, 32:18, 32:23, 33:2, 33:22, 34:1, 34:9, 34:20, 36:7, 36:8, 38:21, 41:2, 43:3, 43:17, 43:18, 44:11, 46:13,</p>	<p>50:12, 50:14, 50:17, 50:19, 51:7, 51:12, 52:13, 52:16, 53:12, 54:1, 54:6, 55:14, 55:20, 55:24, 56:15, 56:19, 57:9, 57:10 shea [8] - 23:17, 24:7, 29:18, 33:17, 51:3, 54:2, 54:13, 56:7 shelter [1] - 36:21 Sherry [5] - 2:10, 7:7, 14:23, 19:21, 29:23 sic [2] - 29:20, 54:19 sick [4] - 19:24, 20:3, 22:18, 22:20 side [3] - 47:11, 47:16, 48:10 signed [3] - 10:3, 11:17, 32:14 significant [2] - 46:8, 49:7 significantly [1] - 30:10 Silva [1] - 6:24 similar [1] - 18:16 simply [1] - 10:8 sincerely [1] - 39:2 site [6] - 8:2, 12:23, 32:6, 32:20, 39:9, 45:13 sites [1] - 52:5 sits [1] - 4:10 sitting [1] - 33:5 situated [1] - 44:13 slowly [1] - 4:7 smoke [1] - 39:13 soil [8] - 45:23, 46:2, 46:19, 46:24, 48:10, 48:13, 52:10 solely [1] - 44:23 solution [2] - 23:1, 39:23 someone [1] - 49:14 sometime [5] - 7:19, 8:15, 12:3, 16:4, 16:13 sometimes [1] - 10:7 somewhere [1] - 49:14 soon [2] - 24:23, 25:14 sorry [6] - 7:3, 16:7, 19:7, 47:7, 47:12, 51:9 sort [2] - 24:8, 46:5 sorted [2] - 23:22, 23:23 Sothea [1] - 38:13 speaking [2] - 10:1, 18:5</p>
R	<p>radar [1] - 45:7 rather [2] - 21:17, 37:21 read [2] - 23:6, 41:21 reading [2] - 27:1, 42:13 ready [1] - 39:16 real [1] - 47:19 realize [2] - 9:12, 9:23 realized [1] - 30:9 really [8] - 14:2, 18:4, 18:5, 22:18, 24:18, 33:8, 35:10, 38:4 realm [1] - 56:5 rebuilding [1] - 32:7 receive [1] - 31:8 received [1] - 15:7 receives [1] - 40:8 recognize [1] - 37:20 recognized [2] - 9:18, 35:8 recognizes [2] - 16:24, 46:13 recollection [1] - 42:5 recommend [1] - 11:8 recommendation [4] - 15:21, 16:3, 16:12, 25:10 recommending [1] - 27:4 record [9] - 10:11, 13:16, 14:6, 21:9, 23:4, 26:12, 27:22, 35:3, 54:24 recoup [1] - 42:20 recovered [1] - 42:10 Red [1] - 38:7 red [1] - 51:16 refer [1] - 40:10</p>	<p>Salem [1] - 1:17 Saturday [4] - 21:6, 39:18, 39:19 savings [1] - 31:3 saw [1] - 17:22 scattered [3] - 12:23, 32:6, 32:20 schedule [5] - 12:7, 21:4, 24:9, 30:23, 55:8</p>	<p>S</p>	<p>S</p>

<p>spearheaded [1] - 38:10</p> <p>special [2] - 25:23, 37:13</p> <p>specifically [2] - 31:13, 52:7</p> <p>specifications [1] - 47:19</p> <p>spend [3] - 12:24, 32:20, 52:23</p> <p>spent [1] - 52:18</p> <p>spirited [1] - 56:18</p> <p>spring [2] - 7:19, 51:2</p> <p>stable [1] - 47:1</p> <p>staff [11] - 12:12, 35:11, 37:7, 37:10, 37:21, 38:2, 38:8, 38:9, 39:9, 41:24, 54:16</p> <p>start [7] - 11:22, 24:23, 45:11, 47:16, 50:14, 51:16, 51:18</p> <p>started [1] - 20:15</p> <p>State [1] - 12:6</p> <p>state [4] - 6:1, 39:7, 40:23, 52:5</p> <p>statement [2] - 7:13, 54:24</p> <p>statements [1] - 30:1</p> <p>stenographer [1] - 4:6</p> <p>step [2] - 11:12, 13:3</p> <p>steps [1] - 14:4</p> <p>sticking [1] - 21:24</p> <p>still [9] - 8:10, 24:4, 33:7, 33:13, 33:18, 33:22, 34:3, 39:5, 48:15</p> <p>stipend [2] - 37:2, 37:4</p> <p>stood [2] - 7:10, 44:21</p> <p>stop [1] - 48:14</p> <p>stoves [2] - 45:14, 45:16</p> <p>straighten [1] - 56:8</p> <p>streamed [1] - 17:13</p> <p>street [1] - 45:24</p> <p>Street [4] - 1:17, 8:6, 34:6, 39:8</p> <p>structure [1] - 32:7</p> <p>studio [2] - 44:9, 44:16</p> <p>Studios [1] - 44:22</p> <p>stuff [4] - 11:4, 13:1, 13:13, 20:18</p> <p>subcommittee [2] - 5:19, 6:6</p> <p>subcommittees [1] - 5:21</p> <p>Subcontractors [1] - 43:22</p>	<p>submit [3] - 16:21, 23:14, 26:3</p> <p>submitted [2] - 15:19, 32:21</p> <p>subrogated [2] - 41:10, 41:11</p> <p>subrogation [1] - 41:13</p> <p>subsidiary [5] - 30:14, 30:16, 30:17, 30:20, 30:22</p> <p>suffered [1] - 42:21</p> <p>sufficiency [3] - 40:10, 40:21, 40:23</p> <p>suggest [2] - 17:12, 41:23</p> <p>sum [1] - 52:5</p> <p>Summer [1] - 34:6</p> <p>supplement [1] - 45:1</p> <p>supplemental [1] - 49:20</p> <p>surprise [1] - 46:4</p> <p>surprises [3] - 46:9, 46:16, 46:18</p> <p>sworn [1] - 6:3</p> <p>system [2] - 18:8, 37:15</p>	<p>15:19, 24:18, 25:19, 31:11, 33:6, 34:23, 40:13, 55:15, 55:16, 55:19</p> <p>threshold [1] - 42:9</p> <p>throughout [3] - 31:22, 36:23, 38:15</p> <p>Thursday [1] - 55:3</p> <p>ticket [1] - 46:11</p> <p>tie [1] - 20:21</p> <p>tied [3] - 10:16, 20:12, 20:19</p> <p>tight [4] - 21:4, 22:4, 33:9, 51:1</p> <p>timing [1] - 31:3</p> <p>today [8] - 4:4, 13:5, 15:15, 34:15, 36:18, 40:24, 42:23, 55:22</p> <p>together [6] - 9:11, 33:4, 35:11, 37:8, 38:14, 51:15</p> <p>tolerance [1] - 30:15</p> <p>tomorrow [2] - 56:17, 56:18</p> <p>tonight [3] - 4:10, 6:2, 11:21</p> <p>tons [1] - 48:13</p> <p>Toohy [4] - 13:14, 14:21, 15:14, 55:22</p> <p>took [2] - 21:15</p> <p>top [1] - 46:20</p> <p>total [3] - 49:6, 49:10, 51:7</p> <p>totally [1] - 23:16</p> <p>touched [1] - 53:5</p> <p>towards [1] - 12:3</p> <p>Tower [2] - 36:19, 39:6</p> <p>transfer [1] - 12:21</p> <p>transferring [2] - 32:6, 32:19</p> <p>transformer [2] - 45:16, 46:1</p> <p>transparent [1] - 17:19</p> <p>transpired [1] - 12:10</p> <p>Travis [1] - 1:24</p> <p>treat [2] - 48:13, 52:24</p> <p>treatment [2] - 46:2, 48:19</p> <p>tremendous [2] - 9:13, 12:13</p> <p>trend [1] - 30:7</p> <p>tribute [1] - 9:22</p> <p>true [1] - 31:3</p> <p>try [4] - 7:16, 8:21, 12:4, 12:7</p> <p>trying [7] - 7:2, 9:11, 12:11, 18:12, 21:8, 35:4, 42:20</p>	<p>Tuesday [4] - 54:19, 55:2, 55:4, 55:5</p> <p>two [19] - 6:15, 7:8, 24:14, 27:11, 28:15, 30:3, 31:2, 36:17, 38:23, 40:13, 40:14, 43:20, 44:20, 44:23, 48:13, 51:6, 51:15, 52:1, 55:18</p> <p>two-hour [2] - 6:15, 7:8</p> <p>two-week [1] - 28:15</p> <p>type [2] - 9:22, 41:18</p> <p>types [1] - 47:22</p> <p>typical [2] - 30:5, 40:6</p>	<p>Var [18] - 2:4, 5:2, 5:3, 6:20, 8:23, 9:21, 11:8, 14:21, 27:20, 29:14, 29:16, 35:19, 36:5, 43:15, 43:16, 53:23, 56:22, 57:7</p> <p>var [4] - 29:15, 36:6, 53:24, 57:8</p> <p>various [1] - 25:8</p> <p>vendor [2] - 18:10, 18:12</p> <p>via [1] - 19:5</p> <p>Vice [3] - 35:19, 36:5, 53:23</p> <p>vice [5] - 6:19, 29:16, 43:15, 56:22, 57:7</p> <p>View [4] - 33:12, 36:19, 39:6, 39:21</p> <p>virtually [1] - 6:24</p> <p>volunteer [4] - 8:1, 8:23, 11:16</p> <p>volunteers [1] - 9:24</p> <p>vote [5] - 13:20, 23:5, 23:6, 50:9, 56:4</p> <p>votes [1] - 13:20</p>
	T		U	
<p>tag [1] - 46:21</p> <p>task [1] - 37:8</p> <p>tasks [1] - 46:7</p> <p>tax [1] - 8:24</p> <p>team [6] - 37:14, 37:21, 37:22, 37:23, 38:14</p> <p>temporary [1] - 45:18</p> <p>tenant [7] - 14:24, 15:1, 15:5, 25:3, 25:6, 27:6, 27:15</p> <p>tenants [1] - 27:16</p> <p>term [4] - 36:22, 41:13, 41:14, 41:18</p> <p>terms [2] - 38:2, 47:14</p> <p>testing [3] - 47:15, 48:5, 48:8</p> <p>Tha [10] - 2:9, 4:10, 6:17, 9:9, 9:17, 12:10, 35:8, 36:11, 41:2, 52:14</p> <p>themselves [1] - 37:11</p> <p>they've [3] - 35:10, 50:3, 55:8</p> <p>thinking [2] - 24:5, 26:7</p> <p>thoughts [2] - 13:7, 32:3</p> <p>three [14] - 8:15, 10:23, 13:20, 15:16,</p>			<p>umbrella [1] - 42:9</p> <p>uncomfortable [1] - 51:19</p> <p>under [5] - 30:10, 31:6, 31:10, 31:15, 31:18</p> <p>underneath [1] - 46:1</p> <p>undersized [1] - 45:17</p> <p>unfortunately [4] - 24:4, 48:5, 48:20, 53:6</p> <p>unit [4] - 39:15, 39:20, 44:6, 44:15</p> <p>units [15] - 8:22, 33:4, 33:19, 33:23, 34:1, 34:7, 34:8, 34:13, 34:14, 44:10, 44:11, 44:18, 44:19, 45:15, 50:21</p> <p>up [26] - 7:13, 10:3, 10:24, 11:17, 12:11, 13:11, 14:7, 19:6, 21:3, 22:2, 22:7, 26:2, 26:24, 28:7, 31:23, 35:2, 37:17, 41:22, 42:3, 42:24, 46:12, 50:4, 50:5, 51:2, 53:8, 54:17</p> <p>update [2] - 30:21, 32:4</p> <p>utilities [2] - 31:4, 31:6</p> <p>utility [1] - 30:10</p>	
			V	
			<p>vacancies [2] - 33:14, 33:20</p> <p>vacancy [2] - 34:10, 34:16</p> <p>vacant [2] - 33:4, 33:19</p>	<p style="text-align: center;">W</p> <p>wait [2] - 12:20, 22:23</p> <p>waiting [6] - 12:23, 15:4, 18:12, 32:22, 32:23, 48:10</p> <p>waiver [1] - 39:15</p> <p>walk [1] - 44:3</p> <p>Walker [1] - 39:8</p> <p>Wallace [1] - 6:18</p> <p>washed [1] - 12:18</p> <p>water [5] - 30:12, 31:8, 37:6, 37:9, 41:12</p> <p>watts [19] - 44:7, 44:12, 46:18, 47:4, 47:7, 49:9, 49:17, 50:2, 50:13, 50:15, 50:18, 50:20, 51:5, 51:9, 51:15, 51:23, 52:3, 52:20, 53:11</p> <p>Watts [2] - 2:15, 44:2</p> <p>weather [1] - 51:1</p> <p>weather-tight [1] - 51:1</p> <p>Wednesday [1] - 55:2</p> <p>week [9] - 11:24, 12:1, 28:15, 33:6, 35:8, 40:2, 48:9, 55:23, 56:1</p> <p>weekend [1] - 28:15</p> <p>weekly [1] - 37:2</p> <p>weeks [3] - 8:15, 22:3, 24:14</p> <p>welcome [5] - 4:6, 4:9,</p>

<p>5:22, 6:2, 36:15 West [1] - 12:1 wheel [1] - 47:6 whereas [1] - 26:22 whittled [1] - 15:15 whoever's [1] - 22:16 whole [2] - 34:16, 39:12 winter [1] - 31:8 witnessed [1] - 38:5 workforce [3] - 10:7, 11:10, 33:3 workout [1] - 9:8 works [3] - 9:2, 12:5, 50:9 world [1] - 47:20 worth [2] - 46:22, 48:14 would've [2] - 27:6, 42:9</p>
<p>Y</p>
<p>year [15] - 7:22, 10:10, 30:4, 30:6, 30:7, 30:11, 30:20, 31:5, 31:19, 31:22, 33:9, 34:22, 40:6, 40:7, 52:4 Year [1] - 36:15 year-end [1] - 31:5 years [5] - 9:10, 10:24, 13:19, 34:23 yup [1] - 49:9</p>
<p>Z</p>
<p>Zoom [8] - 17:21, 17:24, 18:7, 18:14, 19:5, 19:10, 19:12, 55:17 Zoomed [1] - 18:3</p>