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LOWELL HOUSING AUTHORITY
BOARD OF COMMISSIONERS SPECIAL MEETING
FEBRUARY 17, 2023

Mercier House
21 Salem Street
Lowell, Massachusetts

--- Transcribed by Jacqueline P. Travis ---

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Board of Commissioners:

- Philip L. Shea, Chairman
- Mony Var, Vice Chairman
- Joanie L. Bernes, 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

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Presentations by:
 Kevin Murphy

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

1
2 Mr. Shea: Okay, I guess we can get started
3 with the special meeting of the Lowell Housing
4 Authority Board of Commissioners. We are -- you're
5 sitting over there? And if we go right to the
6 agenda, Mr. Director, do you we have anything --
7 first of all, this would be one night I don't have to
8 ask you for roll call on the minutes of the meeting,
9 we'll be able to skip it, because I always forget
10 that, Item Number 1. So Item Number 1 is resident
11 correspondence.

12 Mr. Chhan: We do not have any.

13 Mr. Shea: And the next item is resident
14 organization.

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

17 Mr. Shea: Right. And the next item is the
18 report of the chair. And I guess I wanted to state,
19 for the record, a couple of items that came to my
20 attention in the last -- in the last few weeks, days.
21 And that is the --

22 Mr. Chhan: Does this have to do with the
23 roll call situation?

24 Mr. Shea: No. When I get done my 30 second

1 announcement, which may be stretched to three minutes
2 and 30 seconds, I guess you have to vote to accept
3 the -- I see Allison laughing. She knows I'm long-
4 winded at times. But the --

5 Mr. Elliott: Mr. Chair, roll call.

6 Mr. Shea: What's that?

7 Mr. Elliott: Mr. Chair, roll call of who's
8 present.

9 Mr. Murphy: Just a roll call that the
10 members are here.

11 Mr. Shea: Yeah. Well okay. Thank you,
12 Rodney. Commissioner Elliott correctly pointed out
13 we should have a roll call for who's present. I
14 thank the commissioner for that. With that being the
15 case, I'll ask the director to call the roll.

16 Mr. Chhan: Chairman Shea.

17 Mr. Shea: Present.

18 Mr. Chhan: Vice Chairman Var.

19 Mr. Var: Present.

20 Mr. Chhan: 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. Shea: Thank you. Thank you, Rodney.

3 The report of the chair, I just want to
4 indicate that tonight is the completion of a --
5 actually, a four-month, eight-day process to replace
6 the former executive director who retired as of
7 December 31st. And of course being part of that
8 committee to select the person to replace
9 Dr. Wallace, I just want to say that it was a
10 pleasure for me to be on that committee. However,
11 there's several people I want to publically thank for
12 working on the selection process, actually for
13 108 days.

14 First I'd like to just, for the record,
15 indicate that I want to thank Attorney Kevin Murphy
16 for guiding us through this cumbersome process of
17 selecting a new director. And this will be the first
18 time we elect a new director in over 22 years. And
19 that itself is part of the -- will go down as part of
20 the history of the Lowell Housing Authority, which is
21 -- which is quite long and extensive and remarkable.

22 Also, I'd like to indicate that it was
23 certainly a pleasure to be a member of the committee,
24 including the vice chairman of our Board of

1 Commissioners, Mony Var who's on that committee.

2 I also want to acknowledge our chief
3 financial officer, Mrs. Sherry Giblin, who worked
4 tirelessly from the beginning to the end, and she was
5 a member of that committee.

6 And of course I notice with us tonight, our
7 human resource director of the Lowell Housing
8 Authority, Donna Toohey, who worked tirelessly
9 herself for the past 100 days, starting and finishing
10 the process necessary to get to this point. And I
11 want to thank Donna for her work and her effort as we
12 plow ahead on a rather technical process. And I want
13 to thank you, and I want to thank you for coming
14 tonight in order that you could be recognized as
15 somebody that was quite helpful as part of the team.

16 Unfortunately, not present tonight was our
17 tenant resident, his name was Kevin Noonan. We
18 attempted to get ahold of Mr. Noonan so he could be
19 present and participate in this historic night, and
20 apparently he was unavailable. But not necessarily
21 -- we couldn't contact him, I think that might be
22 better. And however, he was a volunteer on the
23 committee and when we met that morning at 10 o'clock,
24 we concluded somewhere around 5:00, it was kind of a

1 long, interesting day that went by quickly.

2 I want to acknowledge that Commissioner
3 Elliott, incidentally, came on to us at 10 o'clock in
4 the morning on Zoom, and he sat with us through
5 5 o'clock, so was he -- he was certainly aware of
6 what was going on and we thank him for his
7 participation as he oversaw the process.

8 Mr. Noonan incidentally, who is not here, is
9 a -- I know the Noonan family from the Acre, Jackie
10 Noonan was his uncle who was an outstanding football
11 player, class of '58, Lowell High School. And he
12 really enjoyed being on the committee. He thanked
13 us. And just after the -- after we had a
14 conversation to discuss the three applicants, which
15 were over 200 that we received, we -- Mr. Noonan, he
16 actually was so impressed with Tha Chhan that he gave
17 the motion. And he was the first to comment that he
18 was going to vote for Tha Chhan.

19 After deliberation, I think that Mr. Murphy
20 who wanted the process, all five of us agreed to vote
21 for Tha Chhan to be the next director. And that is
22 the recommendation that we have before the Board of
23 Commissioners tonight. And that's the recommendation
24 of the subcommittee on -- I guess the name of the

1 subcommittee is the subcommittee to elect a new
2 director. So that is our directive, and that's
3 basically how we got to where we got. It was a five
4 to zero vote. And now we're here tonight to vote on
5 that recommendation. And so with that being the
6 case, that is how the name Tha Chhan, the applicant
7 Tha Chhan's name is -- was voted on. And that's how
8 the process -- that's the flow of the process and the
9 process basically is where we're at right now.

10 And with that being the case -- I will talk
11 later on about Mr. Tha Chhan, who is just a
12 remarkable individual. And I think you heard me say
13 that in the past, but I will have something further
14 to say about that.

15 But with respect to being a participant on
16 the committee, I think that it was enjoyable, it was
17 interesting, it was challenging, and I think we came
18 up with the right conclusion.

19 I notice Attorney Murphy may want to have a
20 couple of comments to add to the record, which is
21 being held on Zoom, and so I would invite you, as
22 part of the report of the chair, to give your point
23 of view. You may want to talk about the motion now
24 or we can talk about the motion later.

1 Mr. Murphy: We're under the report of the
2 chair right now report, so after we do the report of
3 the chair we'll go to the report of the executive
4 director. And then we'll ask members to adopt the
5 motion to approve the recommendation of the selection
6 committee.

7 As you said, it was a very nice process. It
8 was done expeditiously by Ms. Giblin and Ms. Toohey,
9 great job. But we do have to have certain wording
10 that we have to send to DHCD as part of the motion.
11 So when we get to that point in a couple of minutes,
12 I would just like to comment, suggest what the
13 wording would be and then one member can move that
14 and then second, another one second it, and then we
15 can vote.

16 Mr. Shea: Okay. Thank you.

17 Mr. Murphy: Is that the report of the
18 chair?

19 Mr. Shea: No, that's got to be itself.
20 It's a separate motion.

21 Mr. Murphy: No, wait one minute on the
22 motion. So the report of the chair is done. Is the
23 report of the executive director?

24 Mr. Chhan: There's no report of the

1 executive director.

2 Mr. Murphy: And then we'll do the report.

3 Mr. Shea: Okay. Thank you very much. So
4 with respect to the report of the chair, I have
5 completed my remarks and; therefore, to accept my
6 remarks I'll ask the motion, which is made by
7 Commissioner Mony Var, seconded by Commissioner
8 Joanie Bernes to accept the report of the chair. And
9 the clerk will call the roll.

10 Mr. Chhan: Chairman Shea.

11 Mr. Shea: Yes.

12 Mr. Chhan: Vice Chair Var.

13 Mr. Var: Yes.

14 Mr. Chhan: Commissioner Bernes.

15 Ms. Bernes: Yes.

16 Mr. Chhan: Commissioner Elliott.

17 Mr. Elliott: Yes.

18 Mr. Chhan: Commissioner Marr.

19 Mr. Marr: Yes.

20 Mr. Chhan: Motion moved.

21 Mr. Shea: Okay. Thank you. That's Item
22 Number 3. Item Number 4 is the report of the
23 executive director.

24 Mr. Chhan: Thank you, Mr. Chairman.

1 Mr. Shea: Sure.

2 Mr. Chhan: Well based on the instruction by
3 Commissioner Elliott from the previous meeting,
4 seeking the report on the elevator on two separate
5 AMPs, which is AMP 3 and AMP 4, I would like to
6 present the report and put on your desk.

7 So I just want to add a brief presentation
8 of the set -- of the elevators, and start with 227
9 Gorham Street. The elevator went down on August 1st,
10 2022, yeah 2022. When it went down, we have to fully
11 replace the elevator. So the engineer has been
12 engaged and awarded to -- and the contract has been
13 awarded to New England Builder and we are seeking the
14 Board approval on March 1st, coming up at the next
15 Board meeting. If approved, the project will start
16 sometime in March and expected to complete within a
17 period of six to eight weeks, extend to ten weeks.
18 We are hoping to complete sometime by June 20, 2023.

19 The next elevator that went down was 145
20 Gorham Street on January 31st, 2023. It was taken
21 off service by the fire department. We are engaged
22 with -- well we request the waiver from DCAMM and we
23 got the approval, and engaged with the contractors to
24 start the service and expect to get that completed by

1 the end of next week, which is February 24th. This
2 is a lot faster than what we anticipated. We were
3 expecting six to eight weeks, but it's a lot sooner.

4 Now 735 also went down on September 9th.
5 While the elevator is still functioning, however has
6 the propensity to heat up and it will stop. Probably
7 last about ten seconds, and also start again.

8 But we have the company who ordered the
9 parts and waiting to start the job next week. And
10 anticipate to get the service, contractor service by
11 the end of next week, February 24th. So that's
12 another good thing.

13 The other two elevators are part of our
14 capital planning. 43 Summer Street, the engineer --
15 the company working on that elevator expect to get it
16 completed by sometime in the next month. March.

17 50 Summer Street will be taken offline
18 probably sometime in June. Right after 227 Gorham
19 Street. And then expected to be completed sometime
20 in September.

21 So that's two elevators part of the capital
22 planning improvement. And that's all I have to
23 report, Mr. Chairman.

24 Mr. Shea: Okay. Thank you very much. Any

1 questions by any members? Commissioner Elliott.

2 Mr. Elliott: Thank you, Mr. Director, for
3 that report. It seems like the elevators are going
4 down. I don't mean installing -- over the course of
5 what, several years, have we inspected or in the
6 process of inspecting, an annual inspection of the
7 rest of the elevators?

8 Mr. Chhan: We are looking into that. We --
9 based on the record that we have, because the company
10 supposed to come and inspect each elevator they have
11 on schedule. We have that schedule up. I can report
12 for you. But some of the schedule, it appears to
13 have been scheduled. And I don't have the whole
14 report on that. We look at 145, is that -- the
15 report show that the inspection has been done, but
16 maybe two months.

17 Mr. Elliott: Okay. So it is the state's
18 responsibility, just make that clear, for them to
19 come in and do an inspection.

20 Does the Authority have an annual operation
21 and maintenance plan? Rita's shaking her head yes,
22 so that's good news. And of course we can have the
23 greatest maintenance plan in the world and
24 inspections, but they're old elevators and they're

1 going to break.

2 Mr. Chhan: My anticipation of that, and
3 normal discussion with our team, there's a lot we
4 have to revisit at a later time.

5 Mr. Elliott: Thank you. I know it's not
6 easy and these things, they kind of wait and this is
7 the way -- hopefully there'll be on more problems
8 with the elevators.

9 And just formal follow-up question,
10 Mr. Chair. The residents that were relocated, they
11 were in good shape?

12 Mr. Chhan: Yes. We -- for 735, we made an
13 offer for temporary relocation, but the resident
14 chose to remain in place knowing that the service --
15 yeah, the service would be performed and the repair
16 will be complete by next week. They chose to remain.

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

18 Mr. Shea: Any other question by any member
19 of the Board of Commissioners? If not there's a
20 motion by Commissioner Joanie Bernes, seconded by
21 Commissioner Rodney Elliott to accept the report of
22 the executive director, and the clerk will call the
23 roll.

24 Mr. Chhan: Chairman Shea.

1 Mr. Shea: Yes.

2 Mr. Chhan: Vice Chair Var.

3 Mr. Var: Yes.

4 Mr. Chhan: Commissioner Bernes.

5 Ms. Bernes: Yes.

6 Mr. Chhan: Commissioner Elliott.

7 Mr. Elliott: Yes.

8 Mr. Chhan: Commissioner Marr.

9 Mr. Marr: Yes.

10 Mr. Chhan: Five yeas. Motion carried.

11 Mr. Shea: Next item is Item Number 4(a),
12 motion to approve the recommendation of the selection
13 committee to appoint Tha Chhan as executive director
14 for the Lowell Housing Authority at a salary of
15 \$175,000 per year for 37 and a half hours per week
16 subject to DHCD approval. That motion is before us.
17 And the motion is -- the motion is made by Vice
18 Chairperson Mony Var, seconded by Commissioner Joanie
19 Bernes. The motion before us -- is there any
20 discussion? Or even better, I see Attorney Murphy
21 there. I think he wants to add some verbiage to this
22 discussion. Thank you.

23 Mr. Murphy: Well that's perfect. I just
24 want to make sure that the minutes reflect that

1 motion exactly as stated. Then there will be the
2 roll call vote on the motion to accept the
3 recommendation of the selection committee.

4 Mr. Shea: Are there any comments by any
5 member of the Board of Commissioners? If not I have
6 a couple comments.

7 Some of the conversation I'm going to have
8 in the next three minutes is something I've already
9 reported in the past, but I just wanted the record to
10 show that I heartedly endorse this recommendation of
11 Tha Chhan. And it's just a condensed -- so much that
12 could be said about this candidate, who he is and
13 where he came from, and how he got to where he got
14 today, it's just -- it's very, very striking. But
15 you know, you work for 33 or 34 years for an
16 organization and you start off as the -- basically as
17 low as you could go in the totem pole, and 33 years
18 later you come on to be a candidate for the executive
19 director of the fourth largest housing authority in
20 the State of Massachusetts.

21 Coming from where Tha Chhan came from, as
22 many other Cambodians, it was not an easy walk in the
23 park to get to this point.

24 Having known Tha as a person for eight or

1 nine years, I knew what type of person he was before
2 I came on the board three and a half years ago. But
3 I never knew because he's so humble. He has so much
4 humility, I never knew that he went to -- he got a
5 master's degree out of Boston University. I never
6 knew that he got a bachelor of science degree from
7 Franklin Pierce, raising a family, a wife today who
8 still at times has -- at times cannot speak English
9 very well, but she understands it.

10 So what I just -- and I knew Tha 10, 11
11 years ago and I never knew that he had a master's
12 degree out of BU, he's so humble and hard working.
13 But his activity in the community with respect to the
14 Cambodian Mutual Assistance Association, working on
15 the license board, his involvement, it's just a
16 sterling résumé. And his work that he did before
17 being interviewed by the committee, it was stunning,
18 how well he scored.

19 So I sit here as one member of five
20 wholeheartedly endorsing his candidacy and verifying
21 with a vote on the contract because I think he's the
22 right person to lead the Lowell Housing Authority in
23 its mission to house and accommodate 5,400 residents,
24 and to oversee 120, 130 employees.

1 I think he has the right temperament, he has
2 the right judgement, he has life experiences that are
3 very valuable. And he makes a solid citizen of our
4 community in every regards.

5 So I've said a lot of this in the past, I
6 don't mind saying it again, you know, and I think
7 it's the proper time.

8 So without hesitation -- and I talked to
9 Donna Toohey, we went over the -- you know, how we
10 graded those three candidates. And his grading, as
11 Donna said, was just number one and overwhelmed all
12 the other applicants. It wasn't even a close call.
13 Although the person that I voted for for third, she
14 came in second and I would hope that maybe, as Sherry
15 said, I would hope that maybe we could convince her
16 to transfer to the Lowell Housing Authority. Because
17 she was a very, very good candidate. A person from
18 Guatemala, and she was very impressive. So we'll be
19 having a conversation with her sometime in the
20 future.

21 So with that being said -- I just wanted to
22 put that on the record. I don't think I said
23 anything new that I haven't said publically before.
24 And privately, what I've said to Tha privately. But

1 I'll be leaving the Board after another year,
2 assuming I stay that long. You'll be going on for
3 many years to come. And I'll be very happy to say
4 that I voted for you, Tha, to be the executive
5 director per your contract, which gives you
6 stability. You have a lot of great assets and
7 employees. They have shown how well they are
8 prepared to handle any emergency, any difficulty in
9 trying to work on behalf of 5,400 residents living in
10 our dwellings.

11 So with that being the case I promptly
12 recommend -- and I think, Tha, this is a big day for
13 Tha Chhan and his family and the type of person that
14 you are. And the type of person that you've always
15 been. And so with that being the case, I just want
16 to wish you the very best of luck. With that being
17 the case, any other comments? Money Var would like
18 to be recognized.

19 Mr. Var: No, no.

20 Mr. Shea: Oh, go down here.

21 Mr. Elliott: Thank you, Mr. Chair, and
22 through the solicitor, what's the expectation once
23 this is submitted to DHCD for approval?

24 Mr. Murphy: We'll be submitting this

1 immediately, but they have 60 days to approve it.
2 The effective day is on the date that they approve
3 it. So they have 60 days to do it.

4 Mr. Elliott: Typically -- do you have any
5 idea what the turnaround is? I mean they have 60
6 days.

7 Mr. Murphy: No, this is really the first
8 time we've done --

9 Mr. Elliott: Right.

10 Mr. Murphy: I don't have a lot of
11 experience with that, but we'll follow up.

12 Mr. Elliott: Okay.

13 Mr. Shea: Any other comment? The motion's
14 been made, the motion's been seconded. With that
15 being the case, the clerk will call the roll.

16 Mr. Chhan: Chairman Shea.

17 Mr. Shea: Yes.

18 Mr. Chhan: Vice Chair Var.

19 Mr. Var: Yes.

20 Mr. Chhan: Commissioner Bernes.

21 Ms. Bernes: Yes.

22 Mr. Chhan: Commissioner Elliott.

23 Mr. Elliott: Yes.

24 Mr. Chhan: Commissioner Marr.

1 Mr. Marr: Yes.

2 Mr. Chhan: Five yeas. Motion carried.

3 (Applause.)

4 Mr. Chhan: Thank you very much. I'd like
5 to say a few words. It's the greatest honor in my
6 life to stand here tonight accepting this vote as the
7 executive director of the Lowell Housing Authority.

8 I came to Lowell in 1988 and got a job offer
9 from the Lowell Housing Authority. And when I start
10 working in the leased housing program office, never
11 in my wildest dreams that I ever imagined I would be
12 appointed the executive director of this agency. Yet
13 tonight I'm standing before you accepting this
14 position. Accepting the full responsibility that's
15 bestowed upon me by the Lowell Housing Authority
16 Board of Commissioners.

17 And once again, I am deeply humbled by the
18 confidence that you have in me through this agency.
19 It has been 34 years that I have been working in the
20 leased housing office and I'm just -- the team's
21 here. Everyone's here. I have the opportunity to
22 work with the group of individuals, dedicated
23 individuals who care about their job, who care about
24 the residents, and I am really proud to be part of

1 their team. I'm really luckily to have you as my
2 team members, to have you as my coworkers, and to
3 have you as my friend. And -- I'm sorry. I'm just
4 going to thank you. In fact thank you for the
5 support for me tonight by showing up. It's an
6 indication that I continue to have your support, your
7 dedication.

8 Now you feel that it's best, they have
9 supported me in my new role as the executive
10 director. I could be wrong with the number, but it
11 has been about seven weeks since I took on the
12 responsibility as the interim executive director and
13 it has been one crisis after another. Nonstop. But
14 that's -- that unfortunately, but that's also to the
15 support that I have seen. What I have witnessed is
16 that Lowell Housing staff, everyone here came
17 together from leased housing program to the
18 president, from management office, from facility,
19 from -- especially maintenance department,
20 procurement office, and capital management too,
21 everyone, everyone came together to assist our
22 residents.

23 So the commitment and the dedication that
24 you have for this agency, what I saw is that you put

1 our residents front and center. And I have to say, I
2 saw you come to work and you stayed to 10, 11 o'clock
3 just to get the job done for our residents. I saw
4 you come to work on Saturday, on Sunday, and on a
5 holiday. Of course we didn't show up on Christmas
6 day. And I saw that you got up at 3 o'clock in the
7 morning to come to work so that you could get the job
8 done for our residents. You have done everything
9 that needs to be done because you care. Because our
10 residents need a safe place to stay. To call home.
11 And it reflects on who you are. And it reflects on
12 everyone. So with that being said, I so humbled.
13 And so the Board of Commissioners saw that, our
14 residents saw that, the whole community saw that
15 during this crisis, every one of them.

16 So it reflects on the strength of our team,
17 the Lowell Housing Authority. You should be proud of
18 who you are. You should be proud of your team. And
19 because I am very proud to be part of your team. You
20 are the Lowell Housing Authority team. You are
21 Lowell Housing. So tonight I'd like you to join me
22 because I pledge to work with the Lowell Housing
23 Authority and to work in collaboration with
24 organizations throughout the Greater Lowell area, and

1 work with the Lowell government agency to continue to
2 carry on the Board mandate and according to our own
3 strategic plan. Thank you very much for this
4 opportunity.

5 (Applause.)

6 Mr. Shea: Thank you very much,
7 Mr. Director. We can now call you Mr. Director.
8 Thank you for those words. It's been recorded in our
9 minutes of the meeting.

10 The next item we have on the agenda is
11 Item 4(b), motion to approve the amended bylaws. I'm
12 going to have Attorney Kevin Murphy come to the
13 microphone to explain what we're going to be voting
14 on. Attorney Murphy.

15 Mr. Murphy: Right now the bylaws state that
16 the executive director, when he is going to be
17 unavailable on location have a -- designate an
18 employee to serve in his capacity overseeing the
19 duties of the executive director at the Housing
20 Authority. It's kind of unclear though, the bylaws.
21 The executive director's incapacity, say for example
22 something unfortunate happened to the executive
23 director, the clerk didn't get a designation. In the
24 bylaws it says that the assistant executive director

1 would perform those duties. Unfortunately, there is
2 no assistant executive director position available
3 right now.

4 So to clear up this we're proposing that the
5 bylaws be amended so that when the executive director
6 is absent and he's able to make a designation, he
7 will be the one making the selection approval to fill
8 in for him. However, if he was incapacitated, then
9 the original language that was sent to you said that
10 the chairman of the Board of Commissioners would
11 designate an employee. But I'm asking that that
12 language be amended. Instead of the chairman of the
13 board of directors making that designation, it would
14 read that the majority vote of the board of directors
15 would make the designation of the executive director.

16 The thing is -- say for example if the
17 executive director was hospitalized and couldn't make
18 a designation, but somebody has to make that
19 designation. I think it would be a majority vote of
20 this Board that would designate who would be the
21 executive director.

22 Mr. Shea: With that being said, any
23 questions by any member of the Board of
24 Commissioners? Commissioner Elliott.

1 Mr. Elliott: Thank you, Mr. Chair. I
2 understand the conversation before us. I understand
3 the intent of the bylaw. Perhaps it's unusual, and
4 we've gone through this organization, gone through
5 this in some 22 years. And my concern is, you know,
6 this organization -- and we've just gone through it
7 multiple times, whether it was the flood, whether it
8 was the elevators, or any other emergencies. This is
9 a 24-hour day, 7-day a week operation that needs
10 oversight, that needs somebody on call, that needs
11 somebody that can make decisions.

12 So while there is an absence now as the
13 result of vacancies and employees going to other
14 organizations, from an organizational structure
15 perspective there needs to be a delegation of
16 authority. Now whether that is someone that has the
17 title of chief operating officer or deputy director,
18 it needs to be a person that is responsible to the
19 executive director in his absence. And you raised a
20 good point, Attorney Murphy, if he or she is
21 incapacitated.

22 But I'll just talk to my experience on the
23 Lowell City Council, whenever the city manager is --
24 not only perhaps incapacitated or not, but when he or

1 she is out of town, taking vacation out of the
2 country, the city manager is required to notify the
3 city council who the next person in line is going to
4 be. And it has to be a member of the organization.
5 We wouldn't have the mayor make an appointment that
6 is the responsibility of the city manager.

7 So I understand there's a vacancy, I still
8 reaffirm that there's got to be somebody within the
9 organization that has to make that -- that has to
10 delegate that responsibility. If you go to visit
11 your relatives, somebody has to be in charge. So
12 while the incapacitated issue does make sense, as I
13 was thinking about this after our conversation, this
14 is an organizational issue. And it has to be
15 somebody else in charge, whether it's the deputy --
16 chief executive officer. That's why I think the
17 bylaws are written that way. And every organization
18 that I've worked in, including myself, when I'm not
19 in town somebody else in charge. It's not a
20 gathering of, you know, this body to make that
21 decision.

22 So, you know, whether it's, you know, CFO at
23 this point in time, my thought is to get a deputy. I
24 called around to, you know, to Dracut. Dracut has a

1 deputy director. And they're a small organization.
2 And I did speak to the Department of Community
3 Housing Development. And they were a little
4 concerned that there was not a sitting deputy
5 director. And it's your responsibility to present to
6 us your leadership team. I would like you to present
7 to this Board your organizational structure. What is
8 your -- that is your job as the executive director.
9 We're a policy making board. We're not day-to-day.
10 That's the required roll in the manual and all the
11 training that I took. So I think that's incumbent
12 upon you, to present to this Board what is the
13 structure. Maybe it hasn't been done in 20 years. I
14 don't know. I haven't seen one. I've been on here
15 for only a year.

16 So I understand the point here, we're about
17 to reorganize, and that includes bylaws in a month.
18 But until -- I'll go along with the bylaw
19 temporarily, only because it could be 60 days until
20 you are acting. And God forbid something happens,
21 there will be a number two. So I think coming -- you
22 know, just to make sure that there's a cautionary
23 measure and there is a safety net.

24 I also want to mention moving forward,

1 before we adopt the next bylaws, I would like to see
2 an organizational chart of your administration and
3 what that's going to look like. And that should be
4 incorporated into the next bylaws.

5 Thank you.

6 Mr. Marr: I agree --

7 Mr. Shea: Do you want to speak into the
8 mic?

9 Mr. Marr: I agree with Commissioner
10 Elliott. There should be a chain of command. Say
11 you did adopt this and God forbid something happens,
12 he was incapable of doing his duties. And now we
13 have to call for a meeting for everybody to come in
14 here, all come to terms on one person that we all
15 agree should be taking over the duties in the
16 meantime. And that also sounds like a lot of
17 downtime. You have a chain of command, this person,
18 and this person, and this person, down the line. And
19 there's no downtime. There's no need for this body
20 getting together to decide on one person, I don't
21 think.

22 Mr. Murphy: I think this was really the
23 stop gap. I understand that's when he comes up with
24 his table of command.

1 Mr. Marr: So why vote on it now?

2 Mr. Murphy: Just in case.

3 Mr. Marr: Just in case.

4 Mr. Murphy: Just in case something happens
5 as part of his presentation, who could come up with a
6 table of command of who can take over when he's not
7 available.

8 Mr. Shea: I'll just speak for myself, I
9 know that Commissioner Var wants to say something.
10 Quite frankly, I don't mind naming somebody and
11 identifying somebody. I mean, I think -- I think
12 your wording is a good compromise. I mean, I never
13 even looked at it the way other people are looking at
14 it, but if -- you know, okay, we can -- we'll amend
15 the bylaws and name somebody, if that be the case.
16 And that will end this conversation.

17 I do think that Commissioner Elliott has
18 brought something to the attention, that it's better
19 that we know this tonight, rather than send the
20 paperwork down to Boston and have somebody in the
21 department of housing say jeez, you forgot to dot
22 this. Or cross this T or dot this I. So I thank him
23 for bringing forward to us this thought process,
24 because there's been a lot of work that's gone into

1 this motion to ship it to Boston, and there's no
2 sense in getting it down, as Rodney said, and find
3 out that by the way, you guys made an error in your
4 judgment. So with that being the case, Commissioner
5 Mony Var has something to say.

6 Mr. Var: I believe in the cabinet who's
7 going to be the next candidate if we don't have a
8 number two, that would be Sherry. She would be the
9 next person in line. So my motion is to nominate
10 Sherry GIBLIN as the next person. Because you don't
11 -- you don't wait until all -- if something happened,
12 arrived, you don't wait until all of us approve.
13 That doesn't make sense. You know, something
14 happened or anything happened. You know, all four of
15 us approve, that doesn't make any sense.

16 So the next person in the cabinet, in his
17 cabinet should be the next person. And I strongly
18 nominate Sherry GIBLIN as the next person.

19 Ms. Bernes: I'll second that.

20 Mr. Shea: Just for clarification, you want
21 to nominate Sherry GIBLIN for her title. Her title
22 is chief financial officer.

23 Mr. Var: Officer, yes.

24 Mr. Shea: So you want to nominate --

1 Mr. Var: She's in the cabinet.

2 Mr. Shea: You want to nominate the chief
3 financial officer, whoever that may be at the time.
4 So is that a motion?

5 Mr. Var: Yes.

6 Ms. Bernes: And I'll second the motion.

7 Mr. Shea: There's a motion before us to
8 name the chief financial officer. And I'd like to
9 just get a point of view from our director, do you
10 approve or disapprove that?

11 Mr. Chhan: So my understanding of the
12 motion is that in the case in my absence -- this will
13 happen in case of my absence, she would be automatic
14 because that's what the word -- she would be the
15 second person in charge ranking from -- they would
16 have to leave to sign --

17 Mr. Murphy: Would be the chief financial
18 officer.

19 Mr. Chhan: Yeah, would be -- the chief
20 financial officer would have the authority to sign on
21 behalf of the executive director, is that the motion?
22 I understand correctly?

23 Mr. Murphy: Yes.

24 Mr. Shea: Thank you for your comments. I

1 recognize Commissioner Elliott.

2 Mr. Elliott: I think it's important -- you
3 know, we're having this discussion, I think we're
4 getting way ahead of ourselves, quite frankly. You
5 know, DHCD, they're the oversight of organization
6 responsibilities. And I just think that we should be
7 giving the executive director the opportunity to put
8 together his team, put together his organization.
9 Because they do change. They vary. However, in
10 large part is the executive director, and then there
11 is a deputy director. And in most organizations,
12 especially in larger organizations, have those for a
13 reason. Because of the various responsibilities
14 that's delegated to them while the executive director
15 is attending to others.

16 So I understand that we're going to appoint
17 somebody, but what if Mr. Chhan decides that he needs
18 a deputy director, and maybe not the chief finance
19 officer. Then we're going through the process of
20 changing the bylaws again. So, you know, tonight was
21 about appointing Tha Chhan, and we did that. Not a
22 discussion about bylaws, which we will and is
23 required by DHCD to take up and approve when we
24 reorganize. So those are my comments.

1 Mr. Chhan: May I, Mr. Chairman?

2 Mr. Shea: No, I'd like to just interject.
3 There's a motion before us to name the chief
4 financial officer to be that person to succeed you in
5 case of emergency. Attorney Murphy, I think if I
6 heard you correctly 20 minutes ago -- I mean, first
7 of all, I think it's great that we have this
8 discussion before we send the paperwork down. I
9 think what Rodney has brought out is this discussion,
10 because I never -- believe me, I paid no attention to
11 when we were doing the paperwork. I thought it would
12 all go through rather smoothly. But Commissioner
13 Marr has some concerns over naming a person, so
14 hopefully by naming Sherry Giblin, that will pacify
15 Commissioner Marr's point of view.

16 But I agree with the director. I mean,
17 Sherry Giblin is a star. She's the -- she would be a
18 person that you could count on if something -- if you
19 needed to turn it over to somebody. And I don't know
20 anybody else in the organization that we could say
21 that to at this point. So I think that Commissioner
22 Mony Var's motion to designate her as the person,
23 that should take care of the concerns -- Commissioner
24 Marr said that he wanted to name somebody. Well if

1 that isn't a person that you want to accept, if
2 there's somebody else that you want to accept then
3 speak up. We could have this conversation and
4 deliberate. So I think that -- I think Rodney's done
5 us a favor by bringing this forward. That's all I'm
6 saying. He and I may have a little different twist
7 on the conclusion, but I think we're both on the same
8 avenue. That's all.

9 Mr. Murphy: I think maybe not take the
10 position of the chief financial officer. So in
11 section 4 where it says assistant executive director,
12 you could leave that and insert chief financial
13 officer.

14 Mr. Elliott: DHCD thought it was highly
15 unusual, an organization of this size not to have a
16 deputy director. So when he mentioned that to me, I
17 just thought it was important to bring to this Board.

18 Mr. Murphy: But as far as I know, DHCD
19 doesn't -- we're only sending down Tha Chan's
20 contract. We're not sending down any bylaws. They
21 don't have to approve them. They don't have to
22 approve this change, if you decide to make it. It's
23 just we're sending his contract down.

24 Mr. Shea: I also want to say, for the

1 record, that -- and I'm not violating any private
2 conversation, but Commissioner Elliott brought out
3 something to me 40 minutes or so ago which would make
4 sense, and that is on the organization chart, you
5 know, that we ought to bring it up to date. I think
6 those weren't his words, but that was the intention.
7 And everybody, I think, agrees with that. That the
8 -- you know, we had some employees in the past that
9 they weren't too sure who their boss was. So we have
10 an organization chart that has a lot of dust on it,
11 but we have a different administration today.

12 So once again, those are all valid points.
13 And with respect to the organization chart, that's
14 something that Tha has talked about, and so hasn't
15 Sherry and everyone else, with respect to how do you
16 organize the staff? So those are all valid points.
17 And that's what you have.

18 You have an election next month for the
19 chairman. The chairman will name the subcommittees.
20 The subcommittees will be named and those
21 subcommittee members will be discharged with
22 responsibilities to carry out the goal of that
23 committee. And I would think the committee on -- I
24 would think the committee -- the executive committee

1 and the personnel committee, I think they would be
2 involved in helping the organization chart for the
3 future. The organization chart that we've had, in
4 the three and a half years that I've been on the
5 Board, has been there in writing. I'm not too sure
6 it functioned that well. I'm not going to dwell on
7 the past, because the past is the past. But I will
8 talk about the future. And in talking with Tha
9 Chhan, I think he has some ambitious plans with
10 respect to reorganizing the workforce and the degree
11 of responsibilities that people have.

12 So there's a lot of work that needs to go
13 into -- into the new organizational chart of the
14 Lowell Housing Authority. So we have a motion in
15 front of us to name the chief financial officer.

16 Mr. Murphy: So it would be in article 2,
17 section 4, I believe instead of assistant executive
18 director and insert chief financial officer.

19 Mr. Shea: And I want to thank Commissioner
20 Var for bringing it to our attention in your
21 comments, but I just happen to agree with you. And I
22 will be voting to support your motion. So do we have
23 any other question or any other conversation that
24 anybody wants to speak on the motion? Commissioner

1 Marr? Rodney?

2 Mr. Chhan: May I?

3 Mr. Shea: Please.

4 Mr. Chhan: My understanding is for the time
5 being, because -- we send the contract to Boston, so
6 to me the motion is requested that Sherry, that at
7 any time I'm not around she will be the person
8 responsible for -- she be responsible on behalf of
9 the executive director. However, the organizational
10 project, this project is completely separate. So
11 that would be either executive director or chief
12 financial officer, that is something that we have to
13 look at afterward. All right. So thank you.

14 Mr. Shea: Okay. I think we're all --
15 sounds to me like we're all in agreement. It's been
16 a good discussion.

17 Attorney Murphy.

18 Mr. Murphy: If someone would make that
19 motion and then have it seconded and vote on it.

20 Mr. Shea: The motion's been heard by Mony
21 Var to name the chief financial officer, to designate
22 the chief financial officer as the person. It was
23 seconded by Commissioner Bernes. So the motion's
24 been made and it's been seconded. I think we've had

1 discussion on it. Anyone else want to comment?

2 Okay. So with that being the case, the
3 clerk will call the roll.

4 Mr. Chhan: Chairman Shea.

5 Mr. Shea: Yes.

6 Mr. Chhan: Vice Chairman Var.

7 Mr. Var: Yes.

8 Mr. Chhan: Commissioner Bernes.

9 Ms. Bernes: Yes.

10 Mr. Chhan: Commissioner Elliott.

11 Mr. Elliott: Yes.

12 Mr. Chhan: Commissioner Marr.

13 Mr. Marr: Yes.

14 Mr. Chhan: Five yeas. Motion carried.

15 Mr. Shea: Thank you. Thank you, Attorney
16 Murphy.

17 Okay. Item number -- so that ends Item 4(a)
18 and 4(b).

19 Item Number 5 is old business. Do we have
20 any old business?

21 Mr. Chhan: No, we don't.

22 Mr. Shea: So Item Number 5 is gone.

23 Item Number 6 is new business. Do we have
24 any new business?

1 Mr. Chhan: We do not have any new business.

2 Mr. Shea: Item Number 6 is gone.

3 Now there is a motion to adjourn. And I
4 want to indicate for the record something that
5 everyone knows, the next meeting will be held at the
6 -- of the Lowell Housing Authority will be held on
7 Wednesday, March 1st, 2023. That's the first
8 Wednesday of the month. That's our annual meeting
9 that night. There will be an election of officers
10 for the following year.

11 So this could very well be my last meeting
12 as chairman, but -- so there's a motion to adjourn by
13 Commissioner Mony Var, seconded by Commissioner
14 Rodney Elliott. And with that being the case, the
15 clerk will call the roll.

16 Mr. Chhan: Chairman Shea.

17 Mr. Shea: Yes.

18 Mr. Chhan: Vice Chairman Var.

19 Mr. Var: Yes.

20 Mr. Chhan: Commissioner Bernes.

21 Ms. Bernes: Yes.

22 Mr. Chhan: Commissioner Elliott.

23 Mr. Elliott: Yes.

24 Mr. Chhan: Commissioner Marr.

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Mr. Marr: Yes.

Mr. Shea: Okay. Thank you. Good night.

(Whereupon the meeting concluded.)

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