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LOWELL HOUSING AUTHORITY
BOARD OF COMMISSIONERS MEETING
NOVEMBER 8, 2023

Mercier House
21 Salem Street
Lowell, Massachusetts

-- Transcribed by Jacqueline P. Travis, RPR, CSR --

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Board of Commissioners:

- Philip L. Shea, Chairman
- Joanie L. Bernes, Commissioner
- Mony Var, Vice Chairman
- Matt Marr, Commissioner (ABSENT)
- Rodney Elliott, Commissioner (VIA ZOOM)

Lowell Housing Committee:

- Tha Chhan, Executive Director
- Sherry Giblin, Chief Financial Officer
- Brian Akashian, General Counsel

Presentations by:

- Mark Briere, Administrative Assistant to the Executive Director
- Jonathan Goldfield, Capital Asset Manager

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

Mr. Shea: Okay, the time being ten after five we will -- yeah, being ten after five we'll call the meeting to order. And with that being the case, I'll ask the Clerk to call the roll of the members of the Board.

Mr. Chhan: Chairman Shea.

Mr. Shea: Present.

Mr. Chhan: Vice chair Mony Var.

Mr. Var: Yes.

Mr. Chhan: Commissioner Bernes.

Ms. Bernes: Here.

Mr. Chhan: Commissioner Elliott.

Mr. Elliott: Present.

Mr. Chhan: Commissioner Marr.

Four present.

Mr. Shea: Thank you. Four present, one absent, thank you.

I know that there's two items, first of all Rodney Elliott, as we all know, is the state representative, and just by a coincidence, once again, he's at the State House taking up important legislation. He let the Chair know this morning that

1 he would be not be available in person, but he's
2 zooming in. And sure enough he just Zoomed in,
3 according to Laurie. So we welcome our colleague
4 State Representative Rodney Elliott, who is present.

5 Furthermore --

6 Mr. Elliott: Thank you, Mr. Chair.
7 Appreciate it.

8 Mr. Shea: Thank you. Thank you for
9 attending. So with that being the case, I'd like to
10 go to Item Number 1 on the agenda. Item Number 1 on
11 the agenda is the approval of the minutes of the
12 Lowell Housing Authority, that's the October 11, 2023
13 minutes of the regular meeting.

14 With that being the case, there's no
15 questions being asked by the members of the Board of
16 Commissioners, I will ask the Clerk to call the roll.

17 Mr. Chhan: Chairman Shea.

18 Mr. Shea: I'm sorry, there's a motion by
19 Commissioner Bernes, second by Vice Chairperson Mony
20 Var to move approval of Item Number 1, and the Clerk
21 will call the roll.

22 Mr. Chhan: Chairman Shea.

23 Mr. Shea: Yes.

24 Mr. Chhan: Vice Chair Mony Var.

1 Mr. Var: Yes.

2 Mr. Chhan: Commissioner Bernes.

3 Ms. Bernes: Yes.

4 Mr. Chhan: Commissioner Elliott.

5 Mr. Elliott: Yes.

6 Mr. Chhan: Commissioner Marr.

7 Four yeas. Motion carried.

8 Mr. Shea: Thank you. I'd like to bring to
9 the chair's attention that tonight our -- the Lowell
10 Housing Authority's general counsel, Kevin Murphy, is
11 not available. But his associate, Attorney Brian
12 Akashian is here with us tonight as our legal
13 representation. Legal representative. And we
14 welcome Attorney Akashian.

15 So with that being the case, Item Number 2
16 is resident correspondence. Do we have any resident
17 correspondence?

18 Mr. Chhan: There's no resident
19 correspondence.

20 Mr. Shea: Thank you.

21 The next item is resident organization,
22 number 3.

23 Mr. Chhan: There is a no resident
24 organization.

1 Mr. Shea: The next time is Item Number 4,
2 subcommittee report. And do we have any
3 subcommittees reporting any news?

4 Mr. Chhan: We do not.

5 Mr. Shea: Okay. We wanted to discuss later
6 on in the agenda the meeting that we had. Okay. So
7 Item Number 4, the subcommittee report, there isn't
8 any. So that takes care of that.

9 Item Number 4 [sic] is the finance and audit
10 report, and I'm going to have our chief financial
11 officer, Mrs. Giblin, explain to us why we're not
12 hearing anything with respect to a report tonight.
13 Just for the record, we thank you.

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

15 The finance department is in the process of
16 closing the financial ledgers for the fiscal year
17 ended September 30th, 2023. At the time of Board
18 package preparation we had not received all of our
19 accrued expenses or the pension financial statements
20 from the City of Lowell. These items will have a
21 material impact on the financial balances. As such,
22 I am not reporting on the operating statements for
23 September 30th, 2023 at this time. These statements
24 will be presented to the Board at the December

1 meeting.

2 Thank you.

3 Mr. Shea: Okay. Thank you very much for
4 those remarks, which are made part of the official
5 record. Any questions for Mrs. Giblin? Hearing
6 none, there's a motion by Commissioner Joanie Bernes,
7 seconded by Vice Chairperson Mony Var to accept the
8 report of the Chief Financial Officer, which is Item
9 Number 5. The Clerk will call the roll.

10 Mr. Chhan: Chairman Shea.

11 Mr. Shea: Yes.

12 Mr. Chhan: Vice Chair Mony Var.

13 Mr. Var: Yes.

14 Mr. Chhan: Commissioner Bernes.

15 Ms. Bernes: Yes.

16 Mr. Chhan: Commissioner Elliott.

17 Commissioner Marr.

18 Commissioner Elliott?

19 Can you see him? Laurie?

20 Mr. Chhan: Four yeas, one absent.

21 Mr. Shea: The count is three yes. He's
22 here but he's muted. He couldn't --

23 Mr. Chhan: Did he say yes?

24 Mr. Akashian: Three yeas, one present.

1 Mr. Shea: Thank you.

2 Next item on the agenda is Item Number 6,
3 report of the Chair. Thank you. I will just try to
4 be brief. I just want to get a couple items on the
5 record, and probably be as brief as I can be, but
6 it's long and complicated, some of those items. And
7 one of the things I wanted to bring to the attention
8 of the Board is the -- is the meeting -- is the
9 meaning of the committee that's made up on the
10 Merrimack Street -- the Merrimack Street Corridor
11 site. And I just wanted to indicate that there was a
12 meeting held with architecture, zoning and yield
13 analysis and, obviously, we have a very dedicated and
14 talented staff on that development team.

15 I'd like to just, for the record, indicate
16 that the development team is made up of Tha Chhan,
17 who's the executive director; and Mark Briere, who's
18 the treasurer of the Lowell Housing Authority, the
19 RENU board; Sherry Giblin, who is the chief financial
20 officer, not only the Lowell Housing Authority, but
21 the RENU board; Katie Sadlier is the secretary of the
22 RENU board. Lori Willis is the executive assistant
23 to our executive director, and she is a member of the
24 RENU board. And we have Jonathan Goldfield who is

1 the capital asset manager advising us. We also have
2 Ms. Laura Watts who is the capital asset manager also
3 on the RENU board advising us. And of course we have
4 our consultant, Benjamin Walker, from Teague
5 Associates.

6 And we had a very informative meeting. We
7 were given some highlights of the development that's
8 being planned for the Mercier site, as well as across
9 the street from the Mercier site. And basically it's
10 -- it's quite thorough and it's a very good starting
11 point for the team, so we can develop the site that
12 stands next to this building.

13 Also there at the meeting was myself, being
14 a member of the Board, as well as our general
15 counsel, Attorney Kevin Murphy, who's been advising
16 us, takes us through the -- down the different paths
17 that we have to travel to get this building started,
18 built, and completed.

19 And so we did hear from the developers and
20 the architects, and a lot of questions. And just for
21 the record, I just wanted to indicate that the
22 building being planned, there's three possibilities.
23 We refer to them as option number 1, option number 2,
24 and option number 3.

1 Option number 1 is basically 103 units.
2 Option number 2 is 88 units. And option number 3 is
3 73 units.

4 So the committee heard discussions about
5 each of these possibilities, and let's say that it
6 was -- it was -- I found it to be very interesting.
7 And I thought the consultants did a good job in
8 starting the discussion towards this topic that we've
9 been talking about for quite a while. I know two
10 years or so ago we appeared before the veterans
11 council at Lowell City Hall. It was August, I think,
12 of 2021. We indicated to them that we hoped to build
13 this building and we hoped to be able to take six or
14 eight of the units there and bring in some homeless
15 veterans -- disabled veterans. And I can't believe
16 that over two years have gone by now and we're really
17 starting the long journey. And that's basically what
18 it is, it's -- it's above my pay grade, but it's
19 technical and it's complicated, and there's a lot to
20 it. But thank God the people whose name I mentioned
21 just previous, thank God they have all pitched in.

22 We have some real talented people advising
23 us as we move forward. But I do think under the
24 guidance of Attorney Murphy, working with the

1 Executive Director and working with the majority of
2 the members of the RENU board, I think that some day
3 we're going to see a very nice building next to this,
4 which is now a parking lot over here.

5 And incidentally, I want to thank Jonathan
6 for making these -- there's 70 pages to this plan.
7 We now have about 20 right here. And they're
8 available for anyone in the public who would like to
9 see them. I want to thank Jonathan for preparing --
10 you're looking at me -- did you not send these out?
11 Okay. I didn't want to misrepresent you. I thought
12 you're the one that told me you're the one that
13 prepared them, so I was trying to just put into the
14 record your diligent and hard work. Thank you.

15 So after about three hours the meeting
16 concluded, and we are now moving to the next stage of
17 building out the Mercier site. And incidentally, the
18 Zero Energy Design, which had been hired to give us
19 this report, they -- they were interesting and
20 informative, and let's say we had a good discussion
21 pertaining to their report. So with that being the
22 case, I just wanted to put that into the record.

23 Another item I want to put into the record
24 is something that took place this afternoon at

1 2 o'clock. We had here, as everyone knows, our team,
2 our director, our chief financial officer, our
3 general counsel, Attorney Murphy, they worked very
4 hard in the past several months to try to recoup some
5 of the losses of last November 30th at the City View
6 Tower. And you may remember that two months ago at
7 our meeting I reported that they gave us -- we
8 received news that we received \$1,980,000 in
9 reimbursement for our costs. And I thought basically
10 that \$1,980,000 would come in and would go to our
11 checking account. Once again, I was wrong. And our
12 chief financial officer put me on the right track.
13 It's basically we get approval for \$1,900,000, but
14 it's given to us as a credit. So it's like we have
15 -- it's like buying a \$100 credit on a credit card.
16 But we have a \$1,900,000 credit with the federal
17 government. Moneys that we can use, spend on some of
18 our projects that are certified and okayed by HUD.

19 And so with that being the case, our team
20 under the director, under Tha Chhan's action and
21 direction and leadership, they formed another group
22 to come up with a grant of \$550,000. Well, last
23 month before the Lowell City Council, they voted 7 to
24 2, out of a certain fund designated for things such

1 as what we're going to use the \$550,000 for, which is
2 a new heating system and water system for North
3 Common Village. I shouldn't say village. North
4 Common housing. Which to my amazement, is down at
5 568 Market Street. Well, I never knew that there
6 were three units down there that supplied the hot
7 water and the heat for all of the North Common
8 Village. It was an interesting discovery that I
9 found out, believe it or not, just this afternoon in
10 listening to Jonathan's presentation. And that
11 \$550,000 could very well be higher. Some of our team
12 members think it may be higher because of certain --
13 certain items that still have to be discussed with
14 the City.

15 So with that being the case, it was a public
16 hearing today. It took place today at 2 o'clock here
17 at the Mercier Center, and there was only one speaker
18 to speak in favor of the -- of the appropriation
19 that's going to be given to us by the City of Lowell.
20 And that speaker was a guy by the name of Shea who
21 lives in Lowell, got up and spoke.

22 And so we do have a person, one public --
23 one public person who spoke today in favor of
24 receiving that \$550,000 from city hall. And the city

1 manager should be thanked for his leadership. And
2 the members of the city council should be thanked for
3 their thoughtfulness in helping out our 1,600
4 residents. Did you say 1,600 North Common or is it
5 800?

6 Mr. Chhan: 524 families.

7 Mr. Shea: Okay. So they're going to feel a
8 little bit more comfortable this fall and next
9 summer, next fall. So that meeting took place this
10 afternoon. I was happy to attend as a person of
11 interest and go on record for that. And I want to
12 thank Laurie for her efforts. And so that's a little
13 bit about what's going on with the Chair. And other
14 than that -- I think I'll just cut it short. I think
15 that's enough for the record. But there was a little
16 bit more to it, and I just want -- I talked to Mony
17 Var, the Vice Chairperson of the executive committee,
18 and he's very happy and pleased, as Joanie is, with
19 the effort of our executive director in coming to
20 this conclusion. He's worked hard at it for the last
21 two or three months. And so the public record should
22 be indicated congratulations Tha, to you and Sherry
23 for your leadership and what you're doing to help out
24 the Lowell Housing Authority.

1 So with that being the case, there's a
2 motion made by Vice Chairperson Mony Var, seconded by
3 Joanie Bernes to accept the report of the chair. And
4 with that the Clerk will call the roll.

5 Mr. Chhan: Chairman Shea.

6 Mr. Shea: Yes.

7 Mr. Chhan: Vice Chair Mony Var.

8 Mr. Var: Yes.

9 Mr. Chhan: Commissioner Bernes.

10 Ms. Bernes: Yes.

11 Mr. Chhan: Commissioner Elliott.

12 Commissioner Elliott.

13 Commissioner Marr.

14 Three yeas. One present. One absent.

15 Mr. Shea: Yeah, I just wanted -- State
16 Representative Elliott probably --

17 Mr. Elliott: Yeah, sorry about that.

18 Mr. Shea: Thank you. I was just going to
19 indicate there's roll calls that he's taking down at
20 the State House, so he could be with us for
21 20 minutes and then be on the floor of the chamber
22 for roll call votes. So thank you, Rodney, for -- we
23 just finished the report of the Chair. It was
24 long-winded, so you didn't miss anything.

1 Mr. Elliott: No, Mr. Chair, I did hear the
2 report and the update on the projects so -- I was
3 just muted, so thank you.

4 Mr. Shea: You're welcome. So with that
5 being the case we now -- Item Number 7 is the report
6 of the Executive Director. And so with that being
7 the case, Item Number 7.1.1, the Merrimack Corridor
8 site development, zoning and yield analysis. You
9 want to indicate, for the record, some of the your
10 thoughts with respect to that information. Thank
11 you.

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

13 Just to piggyback from the report
14 Mr. Chairman present, yes, there's three options that
15 are provided by the Zero Energy. So the zoning and
16 yield analysis provided three options. Regardless of
17 what option we pick, up to the Board and the RENU
18 board, either way move forward with this project we
19 still have to present it to the planning department
20 for review. And we have general counsel here that
21 already submit that paperwork to the planning
22 department. And we'll try to schedule an appointment
23 to have a full discussion with them.

24 Mr. Akashian: Yes, everything's been

1 submitted to the department of planning and
2 development. And Francesca Sirignano from the city
3 responded, and we're going to set up a meeting with
4 her. And then after that, hopefully set up a meeting
5 with the Commonwealth Builder's grant program, and
6 set up a meeting with them. We'll go down and meet
7 with them in Boston and get their feedback as well.

8 Mr. Chhan: Thank you. And, again, there's
9 three options. Regardless of what option we pick,
10 the study and the preliminary development budget
11 indicate that we will have funding gap.

12 So after all consideration of funding source
13 that including permanent loan, the federal tax credit
14 equity, the state tax credit equity, the Section 18
15 fund that's coming from the sales proceeds, combined
16 all of those we still have between 12.1 million to
17 \$22 million budget gap.

18 Now, the next step, and this component for
19 the budget component is to identify additional
20 funding sources to close this gap. And we are
21 looking at the home fund. We're also looking at the
22 CPA, city BG grant. There's a possibility that we
23 also going to look at the Massachusetts workforce
24 funding. And also a combination, if possible, we are

1 also looking at calling on state rep and other people
2 in the political arena for the amount on them.
3 That's the funding source that we are looking at.

4 Based on the projected or estimate
5 construction cost, it will range between 71 to
6 \$83 million. It depends on what the Lowell Housing
7 Authority Board and the RENU board option. Whether
8 to construct between 70 to 100 units, whether to
9 include commercial space, office space and parking.
10 That depends on the option there. And the gap will
11 be, you know, between 12 to 22. And the total
12 construction costs between 71 and \$83 million.

13 So that's just something I want to
14 highlight. And that's all I have to report today.
15 Thank you.

16 Mr. Shea: Thank you for your report. Any
17 question by any member of the Board of Commissioners?
18 I have just a question. When if you -- I heard
19 Attorney Akashian indicate your program that you have
20 going forward with respect to meetings, when do you
21 expect to meet again with the committee down at your
22 office? Maybe sometime in December?

23 Mr. Chhan: We have not really scheduled the
24 time yet, and I think general counsel and us will

1 work together to come up with the appointment, and
2 then we'll inform the Board. The sooner the better,
3 yeah.

4 Mr. Shea: You'll work that out with
5 yourself, and Kevin and Sherry and --

6 Mr. Chhan: That is correct.

7 Mr. Shea: Yeah, it's a long windy road.

8 Well, okay. Okay. Thank you for your
9 report. And with that, Commissioner Joanie Bernes,
10 seconded by Vice Chairperson Mony Var to accept the
11 committee report -- to accept the Executive
12 Director's report under 7.1.1, and the Clerk will
13 call the roll.

14 Mr. Chhan: Chairman Shea.

15 Mr. Shea: Yes.

16 Mr. Chhan: Vice Chair Mony Var.

17 Mr. Var: Yes.

18 Mr. Chhan: Commissioner Bernes.

19 Ms. Bernes: Yes.

20 Mr. Chhan: Commissioner Elliott.

21 Mr. Elliott: Yes.

22 Mr. Chhan: Commissioner Marr.

23 Four yeas, one absent.

24 Mr. Shea: Thank you. Next item on the

1 agenda is -- next item on the agenda is Item 7.1.2,
2 motion to approve the over income public housing
3 policy, and we have the administrative assistant of
4 the executive director, Mark Briere, here to give us
5 his words of wisdom.

6 Mr. Briere: Good evening, Mr. Chairman,
7 members of the Board. This evening I'm here seeking
8 your approval --

9 Mr. Shea: Would you please state your name.
10 Only kidding.

11 Mr. Briere: Yeah. All right. Yeah. All
12 right. Why don't I lie down on the floor, it'd be
13 easier for you to kick me.

14 I'm here -- this is Mark Briere. I'm here
15 seeking your approval of the Housing Authority's over
16 income policy. This is a policy that the Housing
17 Authority believes in, but even if we didn't, it's
18 mandated by HUD.

19 So with your approval this evening, the
20 policy that I'm going to outline is -- would be
21 retroactive for all new admissions to November 1,
22 2023, and it would be effective for all
23 recertifications effective January 1, 2024.

24 So the Housing Authority is committed to

1 fulling our mission to assist residents in achieving
2 the highest level of self-sufficiency. So in
3 pursuant of that mission the Housing Authority offers
4 a wide range of programs and services designed to
5 empower individuals and their families to increase
6 their self-sufficiency, and hopefully enhance their
7 quality of life.

8 Many residents, thanks to the dedicated
9 efforts of our staff, have been successful in
10 securing employment and increasing their income. And
11 in some cases, have increased their income levels to
12 a point where they actually exceed the income
13 limitation that made them eligible in the first
14 place. When that happens, that's a positive outcome.
15 People climbing the economic ladder. So
16 applicants -- again, as you know, the reason HUD
17 employs this, and the reason this administration
18 endorses it so much, as you know, the waiting periods
19 for most of these individuals are extensive, often
20 lasting several years. And you can only imagine what
21 a struggling family goes through as they're seeking
22 something as necessary as shelter. So it's a
23 terrible experience.

24 So in an effort to provide as many eligible

1 families with the opportunity to reside in public
2 housing, and to direct these scarce resources to
3 where they're most needed, we've implemented, under
4 the direction of HUD, an over income policy.

5 Now, when you first hear that you may say
6 wow, gee, we're going to ask one of our residents to
7 leave public housing because they earn too much
8 income? Yes. Yes. That's a positive thing. When
9 people empower themselves and gain the confidence
10 that they do through achieving a higher economic
11 level, that's positive. That's how you break the
12 generational cycle of public housing.

13 So when these instances do occur, they're to
14 be applauded. Not only for the families who achieved
15 this, but for the next family who isn't there yet,
16 who is on one of these long waiting lists waiting for
17 this opportunity.

18 So what this policy does is we -- I've given
19 you the handout. We'll go over -- we'll go over an
20 example. HUD establishes area median incomes.
21 They're established nationwide. It's not something
22 that we calculate. HUD does it on our behalf. And
23 we simply use the corresponding charts determined by
24 family composition, the number of members of the

1 family, and we compare that or multiply it with the
2 area median income. The very lowest of the area
3 median income, which are those individuals, those
4 folks under 50 percent.

5 So if you look at your charts, as an
6 example, let's go to a family of four. It's circled
7 in blue. You'll see that a family of four determined
8 their eligibility, it's a very low income family,
9 their income would be 66,200. Okay, that says you're
10 eligible to live in the Lowell Housing -- at the
11 Lowell Housing Authority in that low income category.

12 The over income policy, on the next page
13 you'll see with the family of four, you take that
14 66,200 and you use, once again, supplied by HUD, a
15 multiplying factor of 2.4. And what you end up with
16 is an annual income of 158,880. So that's the
17 important number. Those are the folks that we're
18 asking to leave public housing. Once you achieved
19 that level, family of 4, 158,800, you're no longer in
20 that category desperately needing our services.
21 That's a good thing. That's a good thing.

22 This is how we impose -- how we impose the
23 policy. At admission or each year at recertification
24 the income is assessed. They provide all necessary

1 documentation of their income. And if we find that
2 they exceed that number based on family composition,
3 we must inform them in writing within 30 days that
4 your current income exceeds the over income
5 threshold. But it doesn't stop there. We inform
6 them that if it exceeds it for 24 months, you're
7 subject to losing your tenancy. But 12 months later,
8 at their next annual income, we assess it again. And
9 if they're on a path to exceeding that over income
10 again, we notify them in writing and let them know.
11 So this family can plan, that you're on an over
12 income path. Congratulations. And then, again, in
13 12 months, 12 months thereafter, now we notify them
14 once again in writing. And what we're telling them
15 at that point is that if they remain over income,
16 that 24-month period, then they are subject to losing
17 their tenancy or will lose their tenancy within six
18 months.

19 They're also informed of their rights to a
20 hearing if they -- if they object to our decision or
21 have some extenuating circumstances that they feel
22 that they need on the record. And we adjust these
23 limits annually.

24 So the area median income each year is

1 determined by HUD. We impose it at that time. So
2 when you're told that you're over income for the
3 first time, 12 months later it could change. So
4 you're always being informed. No one is suddenly
5 told you can't live here anymore. No one's suddenly.
6 It's assessed every 12 months. And if they're in the
7 situation for 12 consecutive months, that's when
8 they're subject to lose their tenancy.

9 Mr. Shea: Thank you very much for those
10 remarks. Any questions by any member of the Board?
11 If not, I have a couple questions for you, just to
12 help us.

13 Mr. Briere: Sure.

14 Mr. Shea: 24 consecutive months. So
15 it's -- if they go for 22 consecutive months, but
16 they skip it on the 23rd or fourth, does it start
17 from the beginning?

18 Mr. Briere: Yeah.

19 Mr. Shea: Also, the -- I know I hate -- I
20 shouldn't say hate, but I -- it's not good news when
21 I hear that we're moving people out of their unit. I
22 don't -- I don't know, it's a long road legally, to
23 get someone out of their unit. And when I hear that
24 privately -- I don't mind sharing this publicly --

1 that's not good news to me. I don't like that. I
2 don't know where these people go. But putting that
3 aside, my question to you here would be I know how
4 difficult it is for our property managers to have to
5 make a decision to recommend to our general counsel
6 to start the process of removing people from their
7 unit. And so my question is this: How many cases do
8 we -- we have a lot of people we move out of their
9 units. A couple months ago it was like almost 25 or
10 so. Do you recall that? I can remember reading the
11 newspapers. So in this process that you have, Mark,
12 24 months, and then are they entitled at that point
13 to have a hearing?

14 Mr. Briere: Yes.

15 Mr. Shea: Or do they go to court? So the
16 24 months could really go 36 months, because of
17 delays in the legal process to remove them.

18 Mr. Briere: I guess that could be a
19 possibility.

20 Mr. Shea: So it's just that, unfortunately,
21 I understand, I hope I'm not speaking out of school,
22 but I understand there are some people that -- they
23 work hard at beating the system. Right? And they're
24 down at the court and they're arguing their case and

1 everything.

2 Mr. Briere: It's important to note these
3 people are not beating the system. These people are
4 actively working and verified these incomes.

5 Mr. Shea: Right. But after 24 months, but
6 then they have 12 months -- but I'm just curious
7 about the time, and is it really 24 months or is it
8 36 months and -- how many of these cases do we have
9 out of --

10 Mr. Briere: A few. Do we have a direct
11 number? An actual number?

12 Mr. Chhan: At this moment as we speak,
13 there's two families that exceed the over income.
14 And we implement, after this, it's going to take
15 24 months from now. Only if that's consistent. But
16 at any time during this 24 months, if their income
17 dropped below the over income limit, wipe everything
18 out and start again.

19 Mr. Shea: Yeah, right.

20 Mr. Chhan: Now, it is mandatory by HUD
21 after that 24 months, there's a period of six months,
22 they have to be out of the unit. But my experience,
23 not in public housing, but with Section 8, when
24 people reach the level of 120 percent of median

1 income, or 2.4 percent -- I mean two point -- median
2 income multiplied by 2.4, the likelihood, they give a
3 notice to move out way before the process start.
4 Because the income level has got to the point that
5 it's considered affordable out there, in the
6 community.

7 That's what happened in Section 8. When
8 people make so much money they come in, okay, we put
9 them on suspension and they just give -- give up the
10 right --

11 Mr. Shea: We have to follow what HUD tells
12 us.

13 Mr. Chhan: That's correct, yes.

14 Mr. Shea: Okay. So if you go up to
15 admissions and you see the staff that's up there,
16 under the direction of Alisen, all those staff
17 members are in their office with their heads on
18 working. You could hear a pin drop. And that's
19 because they're pretty busy. So is it their
20 responsibility to track these cases that are very
21 few? And if that being the case, are we spending a
22 lot of time, effort, and energy over stuff that in
23 the long run it's just bureaucratic direction?

24 Mr. Briere: No, because this isn't

1 something that we have to seek out. In order to
2 declare your initial eligibility you have to provide
3 all of your income documentation. That is verified
4 by us. And then each year thereafter, or at any
5 point during an interim, if there's a change in
6 income, the resident comes to us. So if someone's
7 income decreases, their rental portion decreases.
8 There's never a problem with that. When an income
9 increases, then their rental portion is increased,
10 they come to us with this. This is not something
11 that we're -- this isn't like a fraud case that we
12 have to go in search of.

13 Mr. Shea: Well, you see, Mark, the staff up
14 there, I think it's correct to say they're
15 overwhelmed. And you know, Tha, you've been there
16 for a hundred years. They work hard. They're
17 overwhelmed, and this is just another layer of -- of
18 work for them and --

19 Mr. Chhan: There's mechanism --

20 Mr. Shea: But we have no choice.

21 Mr. Chhan: Yeah, we have no choice, but
22 there's also mechanism that tracks something like
23 that. As soon as -- as soon as a family become over
24 income, there's something that trigger to let us

1 know. But at the same time, when we identify family
2 that's become over income, we also refer them to
3 another program called family self-sufficiency. The
4 financial management. So there's mechanism that help
5 us identify. Yes, it's a lot of work, but it still
6 can be managed. It's manageable.

7 Mr. Shea: Okay. Thank you very much.
8 Thank you for your comments and remarks, and I
9 appreciate -- do you have any questions? If not,
10 there's a motion by Commissioner Joanie Bernes,
11 seconded by Vice Chairperson Mony Var to accept Item
12 Number 7.1.2. The Clerk will call the roll.

13 Mr. Chhan: Chairman Shea.

14 Mr. Shea: Yes.

15 Mr. Chhan: Vice Chair Mony Var.

16 Mr. Var: Yes.

17 Mr. Chhan: Commissioner Bernes.

18 Ms. Bernes: Yes.

19 Mr. Chhan: Commissioner Elliott.

20 Mr. Elliott: Yes.

21 Mr. Chhan: Commissioner Marr.

22 Four yeas. One absent. Motion carried.

23 Mr. Shea: Thank you. Next item is Item
24 Number 7.1.3, motion to approve change order number 3

1 in the amount of \$33,328 for 50 Summer Street,
2 elevator upgrade to New England Builders &
3 Contractors of Methuen, Massachusetts. And we have a
4 -- we have a request here by our chief procurement
5 officer, Rita. Rita, did you want to come and give
6 us some of the history on this change order, please?
7 Thank you.

8 Ms. Brousseau: Good evening.

9 Mr. Shea: Go ahead. I notice the original
10 amount was 1,282,000, and they come in for this
11 additional 33,000, which you looked at, I'm sure.

12 Ms. Brousseau: Yes. To be honest, I'm
13 going to have Jonathan speak on this. This is his
14 project and he can speak to it.

15 Mr. Shea: Okay. Thank you, Rita. We'll
16 have Jonathan. Thank you, Jonathan.

17 Mr. Goldfield: Good evening, Mr. Chairman.
18 Good evening, everyone. Jonathan Goldfield, Capital
19 Asset Manager. So the actual -- the letter from Bob
20 Livermore, the architect on the project, is actually
21 quite correct. I think the -- to put a little bit of
22 color on the specific issue here, it's very hard to
23 track the subcontractors, in this case the
24 electrician, when they would be in and on the site

1 and coordinate it with the elevator technicians. The
2 law and regs are very strict. They require that any
3 time any trade, other than a licensed elevator
4 mechanic is working in or around an elevator system,
5 be it the shaft or the control room, there has to be
6 a licensed elevator mechanic present while they're
7 doing the work. And as you can imagine, it can get
8 complicated when you have a seven story elevator, and
9 actually two elevators in this building, which is
10 what the main point is. Trying to keep -- trying
11 to keep track of who is on site when, and having
12 additional personnel to accompany the electricians
13 and whoever.

14 In this case, it over ran. We carried about
15 80 hours, with the two elevators, and it over ran.
16 So we need to carry enough -- we're still under one
17 percent change orders on this project. I wish there
18 were a better way to track this. The contractor,
19 United Sub, on the elevator, they actually did find a
20 number of ways of consolidating some of their hourly
21 rate, where they'd be working at the same time, the
22 same place as the electrician. But they couldn't do
23 that in every instance and we had to have extra
24 people on duty. And tracking those circuits in that

1 building were a little tricky, because they were
2 redone in 1988 and not really charted clearly.

3 So finding the circuits, rewiring them, and
4 all the logistics that went along with it created
5 this override. So we request that you allow this
6 change order for the work that we discovered. We
7 knew this would happen back in August, frankly. We
8 were tracking this. So we consolidated it the best
9 we could.

10 Mr. Shea: Any question by any member of the
11 Board of Commissioners? If not, I have a question.
12 Livermore, Edwards & Associates, you've done --
13 they've done work with us before?

14 Mr. Goldfield: Which company?

15 Mr. Shea: The Livermore, Edwards.

16 Mr. Goldfield: This is the first time we've
17 had them on, right.

18 Mr. Shea: Could you tell me a little bit
19 about them?

20 Mr. Goldfield: It's basically Bob
21 Livermore, he's an architect and he put his team
22 together of an electrical engineer -- elevator
23 engineer, electrical engineer, a couple other
24 contractors that -- subcontracts, just to come in and

1 make a design team. So other than work -- most of
2 the spec for the elevator itself is done by the
3 elevator engineer. And he basically marshals those
4 subconsultants and basically is supposed to supervise
5 the job to a point.

6 Mr. Shea: So you're satisfied with this
7 request?

8 Mr. Goldfield: I believe he's accurate in
9 his representation.

10 Mr. Shea: So -- okay. Well, I -- I can
11 tell you, they did a heck of a job. Those elevators
12 were down, we were back in business, you know, a
13 short time afterwards. I just wanted to get your
14 feeling over -- on this company, with their work
15 before. But they did a good job. I mean, those
16 things were shut down. Our people were all --
17 couldn't get up to the fourth floor, in one of these
18 buildings. I was over there one night.

19 With that being the case -- that's fine. I
20 think, like you said, it's less than one percent.
21 It's a big order, almost 1.3 million, and so we count
22 on your credibility, and you have a lot of
23 credibility with us.

24 So thank you for your comments. With that

1 being the case, Commissioner Joanie Bernes, seconded
2 by Vice Chairperson Mony Var moves to accept
3 Item 7.1.2 [sic] and the Clerk will call the roll.

4 Mr. Chhan: Chairman Shea.

5 Mr. Shea: Yes.

6 Mr. Chhan: Vice Chair Mony 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 Four yeas. One absent. Motion carries.

14 Mr. Goldfield: Thank you very much.

15 Mr. Shea: Next item is Item Number 8, it's
16 old business. We have no old business.

17 Item Number 9 is -- 9(a) is motions of the
18 Board members. Do we have any motions?

19 Mr. Chhan: No.

20 Mr. Shea: And 9(b) is the Executive
21 Director's announcements.

22 Mr. Chhan: I do not have any announcements,
23 Mr. Chairman.

24 Mr. Shea: I'm going to move to Item Number

1 10, is motion to adjourn. The Chair would like to
2 indicate that the next meeting of the Board of
3 Commissioners is Wednesday, December 13th at
4 5:00 p.m. here at the Mercier Center, and we look
5 forward to seeing everyone at that time. With that
6 being the case, Vice Chairperson Mony Var, seconded
7 by Commissioner Joanie Bernes to adjourn the evening.
8 The Clerk will call the roll.

9 Mr. Chhan: Chairman Shea.

10 Mr. Shea: Yes.

11 Mr. Chhan: Vice Chair Mony Var.

12 Mr. Var: Yes.

13 Mr. Chhan: Commissioner Bernes.

14 Ms. Bernes: Yes.

15 Mr. Chhan: Commissioner Elliott.

16 Commissioner Elliott. Commissioner Marr.

17 Three yeas, one present. One absent.

18 Motion carried.

19 (Whereupon the Board of Commissioners
20 meeting adjourned.)
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