

APPROVED
MINUTES OF BOARD MEETING
GREAT BARRINGTON HOUSING AUTHORITY BOARD MEETING

August 19, 2020 3:30 p.m.

Telephone remote participation per Governor Baker's March 12, 2020 Order Suspending Provisions of the Open Meeting Law

I CALL TO ORDER

Chairman Mercer called the meeting to order at 3:41 p.m. In attendance by telephone roll call, board of commissioners: Chairman Mercer, Eileen Mooney (recording), Louis DelMasto (recording), Marie Ryan, and Mary Pat Akers

Executive Director Tina Danzy, Assistant to the Executive Director Madonna Meagher (recording)

Public: Marlene Koloski, President Local Tenants Organization and Nan Wile, Jane & Jack (no last names given)

Chairman Mercer welcomed new board members, Louis DelMasto and Mary Pat Akers

II APPROVAL OF MINUTES FROM: Regular Meeting 6/17/20

Chairman Mercer asked the board if they had changes or comments regarding the June 17, 2020 board meeting draft minutes. Mooney suggested that minutes include who is taping the meeting. **DelMasto made a motion to approve the draft minutes of 6/17/20. Seconded by Ryan. Roll Call Vote: Mercer aye, Ryan aye, Mooney aye, Akers aye, DelMasto aye. Motion passes unanimous. Discussion ensued regarding new members voting aye because they weren't at the meeting. Either by 5-0 or by quorum of 3 who attended the 6/17/20 meeting motion passes.**

III EXECUTIVE DIRECTOR'S REPORT:

Executive Director Danzy updated the board on the housing authority. An eviction moratorium was extended to Oct. 18, 2020 because of COVID-19. A few resident referrals were made for rental assistance. Resident Services Coordinator (RSC) Karen Lewis, continues to assist tenants with referrals. Executive Director Danzy asked the board to spread the word that if tenants need assistance Karen Lewis is available to help them.

Most residents are paying their rent on time and the office continues to send out friendly reminders to the remaining few. All units are currently leased except for Dewey where two apartments are being kept vacant with state approval.

Regarding housing authority grants, the Lean Program Grant continues to be on hold but will resume soon. The Health and Safety Grant for Dewey will need a board vote at this meeting for Lane Construction to begin work. Executive Director Danzy reported that Flag Rock was chosen by the state to receive a Creative Place Making grant of \$126,000. The housing authority was notified by email and the official award notice will be forthcoming.

Performance Management Review (PMR) with Carolina Gonzalez and Bruce Burdick from DHCD was held remotely by telephone [on August, 11, 2020 due to COVID-19]. Executive Director Danzy explained to the new board members that the PMR occurs every year and encompasses annual recertifications of tenants, tracking of work orders, and overseeing record keeping. The remote PMR was completed with no issues being noted for FY20. Ms. Gonzalez emailed the Executive Director noting that although "no ratings are being issued for the 2020 Fiscal Year but we acknowledge your continued growth and improvement."

Discussed during the PMR was the authority to conduct Health & Safety inspections of tenant units rather than the normal complete inspections. Executive Director Danzy informed the board that site inspections would start (when it is safe to do so) hopefully in September/ October and that residents will be notified. Tenants will be encouraged to continue reporting work order concerns.

As a financial update, Executive Director Danzy stated that a master escrow account had been set up with Berkshire Bank with current security deposits on file. A master account for tenant pet deposits is still being worked on. Executive Director Danzy reported that as of this board meeting, invoices totalling \$21,641 had been mailed to vendors. The current GBHA bank balance was \$282,670.00 and the Dewey bank balance was closed out in July and transferred to the GBHA account.

Executive Director Danzy informed the board that COVID-19 costs borne by the housing authority will be submitted to the state for reimbursement. Presently, \$324 per unit might be reimbursable (up to \$37,000).

The maintenance staff continues to work on small projects on all three sites which include clearing of brush, repainting of common areas, and bathroom upgrades at Dewey Court. Sanitizing continues every day at all sites.

Included in the packet of board materials was an example of a public housing notice (PHN) memorandum. Executive Director Danzy suggested that these PHNs which are available online might be checked periodically by the board members. She also mentioned that the office keeps a binder of them as well for anyone to peruse.

After Executive Danzy finished summarizing her report, board member Mooney had additional questions.

The Resident Services Coordinator (RSC) grant previously discussed at the board meetings of 10/15/19, 1/21/20, 2/18/20, 4/1/20 and 4/8/20 and most recently 6/17/20 continued to generate a specific question by Mooney. Who pays for the RSC salary? Executive Director Danzy responded to Mooney's question that the Resident Services Coordinator grant had been approved by the board. **[N.B.] excerpt from approved minutes of October 15, 2019) Executive Director Danzy asked the board if they would take a vote on the GBHA collaborating with other South County housing authorities to apply for funding for the Resident Services Coordinator (RSC). The RSC would help tenants with referrals, etc. Mooney made a motion to approve collaborating with other South County housing authorities and seek funding for a RSC. seconded by Dillon. Roll call: Mooney aye, Dillon aye, Mercer aye, Sinico aye. Unanimous Motion Passes.**

Chairman Mercer injected into the discussion stating the grant is paying for the RSC salary.

Regarding financials, Mooney questioned the last paragraph on the cover page of the Fenton, Ewald & Associates quarterly balance sheets. Executive Director Danzy will get clarification on Mooney's questions. DelMasto questioned the Executive Director whether or not Mooney's question is explainable or not. Chairman Mercer stated the fee accountant will provide information at the next meeting.

Mooney also had questions about the office clerk position listed in the Shopper's Guide. When did the board approve the position. Executive Director Danzy stated that the position would be 8-10 hrs a week and the clerk would assist with the CHAMP wait list and help with data entry and filing. *[N.B]. excerpt from April 1, 2020 approved board meeting: Chairman Mercer made a motion to approve the proposed FY21 budget as presented, seconded by Ryan. Roll call vote; Sinico aye, Ryan aye, Becker aye, Mercer aye, Mooney nay. Motion Passes 4-1*

IV OLD BUSINESS:
None

V. NEW BUSINESS
ELECTION OF OFFICERS:

Chairman:

Board member DelMasto suggested that with two new board members that this was an opportunity to change the direction with the housing authority and start fresh [with new leadership]. Board member Akers spoke about the 254 housing authorities in the Commonwealth dealing with a pandemic. She noted that she wanted continuity in board leadership. Discussion ensued with DelMasto disagreeing with Akers citing a lack of transparency. DelMasto mentioned that being a tenant brings a perspective that Akers doesn't have (as a member of the community). DelMasto continued questioning the voting record of board member Ryan citing a 3-2 majority.

DelMasto made a motion to elect Mooney as Chair to the board. Seconded by Mooney. Roll call vote: DelMasto aye, Mooney aye, Ryan nay, Akers nay, Mercer nay. Motion fails 3-2.

Ryan made a motion to elect Mercer as Chairman, seconded by Akers. Discussion ensued with DelMasto citing lack of transparency. Mooney gave no comment. Akers noted her interest in affordable housing and having a community where tenants feel safe and secure. She commented on the state of the current board: contentious. Akers stated it was important to keep Mercer as chairman. **Ryan made a motion to elect Mercer as chairman, seconded by Akers. Roll call vote: Mooney nay, DelMasto nay, Ryan aye, Akers aye, Mercer aye. Motion passes 3-2.**

Vice-Chairman:

Mercer nominated Akers for vice-chair of the board seconded by Ryan. DelMasto questioned the voting of board members where three members can outvote two members. **Roll call vote for Akers as vice-chairman: Mooney aye, Ryan aye, DelMasto aye, Akers aye, Mercer aye. Unanimous**

Treasurer:

Chairman Mercer made a motion to elect Ryan as board treasurer. Mooney seconded the motion. No discussion ensued. **Roll call vote: Mooney aye, DelMasto aye, Akers aye, Ryan aye, Mercer aye. Unanimous.**

After the election of officers, Chairman Mercer briefly discussed the responsibilities of the board of commissioners. Chairman Mercer reminded the board that its role is oversight but not in day to day business of the Executive Director. Mercer reminded the board to channel questions and concerns through the Chairman and not to the Executive Director or the assistant. Mooney questioned the lack of board involvement in a board of health notice of mold in a unit at Flag Rock. Chairman Mercer stated that an issue with the board of health is the Executive Director's responsibility

Additional discussion ensued with Mooney disagreeing Chairman Mercer's approach to setting board meeting

agendas. Chairman Mercer stated that if Mooney disagrees with the status of the board, she can talk to the state for clarification. Chairman Mercer suggested that the board have Attorney Liebel complete the second part of a board training.

Personnel Policy:

GBHA Attorney Liebel found the words “but not upon termination” not acceptable to the state and needed to be removed from the statement regarding the Vacation benefit to employees. Chairman Mercer asked the board to locate the policy in their packets, Mooney stated she could not locate the policy prompting Ryan to offer Mooney help to locate the policy document and the specific paragraph. Mooney wanted to have access (a forwarded legal email from Liebel) sent to the Executive Director. Ryan stated that a similar situation occurred in West Stockbridge and it was determined from town counsel that forwarding a legal email would be an open meeting law violation. The policy will now read: **Employees may carry over a maximum of 2 weeks into their next year. Employee’s vacation time may be paid out upon leaving.** Ryan made a motion to accept the change by omitting the words “but not upon termination” seconded by Mooney. **Roll call vote: Mooney aye, Akers aye, Ryan aye, DelMasto aye, Mercer aye. Unanimous.** Mooney asked that discussion of vacation time be added to a future meeting.

Credit Card Policy:

Discussion ensued regarding the GBHA current credit card policy. Mooney had concerns about credit card misuse. Ryan stated that a misuse of a credit card is illegal and doesn’t need to be listed separately in the policy. Ryan made a motion to include the words “and the Executive Director” in the second sentence. The change would read: “The employee to whom credit cards are issued shall immediately notify the financial institution issuing the card and the Executive Director if lost or stolen.” The motion was seconded by Mooney. **Roll call vote: Mooney aye, Akers aye, DelMasto aye, Ryan aye, Mercer aye. Unanimous**

D.F. Lane Landscaping:

Executive Director Danzy asked the board for their vote of approval for D.F.Lane to begin work on the site work, sidewalk and parking lot repair at Dewey Court. This project was part of a \$50,000 grant. Lane was the only bidder. Ryan made a motion to accept the bid by D.F. Lane for the work to begin seconded by Mooney. **Roll call vote: Mooney aye, DelMasto aye, Ryan aye, Akers aye, Mercer aye. Unanimous.**

CFA Amendment #9:

There was an increase in the Contract for Financial Assistance (CFA) #9 amendment in the amount of \$199,742.00. This change included FY’23 formula funding award, FY’20 Health and Safety Initiative award and Public Housing Reserve award for Flag Rock ridge vents. Chairman Mercer made a motion to approve the amended amount seconded by DelMasto. **Roll call vote: Mooney aye, Akers aye, DelMasto aye, Ryan aye, Mercer aye. Unanimous**

Agreed Upon Procedures (AUP):

Executive Director Danzy reported that the last AUP was for FY’19 [4/1/18-3/31/19]. The audit was closed out last December 2019. The state requires the housing authority to pay an independent audit firm (DePace) who reviews our records and looks for procedures that can be improved upon. A week before this board meeting, the state requested a review of the DePace AUP. The information was reported to auditor K.Pace and it has been officially closed out with no additional improvements noted. Discussion ensued with Mooney concerned with payroll oversight and the lack of board involvement. Chairman Mercer described at length the process for the board: Executive Director Danzy processes employee time sheets then they are processed through the payroll company, the payroll is double checked by the Executive Director and then the fee accountant Sue Honeycutt. Financials are overseen in an AUP audit. Due diligence is being observed. Mooney continued her concerns and wanted more information than line items. Executive Director Danzy stated that the financial statement given to all board members

has the data that Mooney keeps stating isn't there. Overtime being paid to maintenance for COVID-19 cleaning will be billed back for reimbursement. Chairman Mercer suggested Sue Honeycutt attend the next board meeting to answer Mooney's questions and concerns.

Open Meeting Law Violation: Mooney v Board of Commissioners:

Chairman Mercer reviewed the complaint for the board. Discussion ensued with Mooney insisting the executive session of May 21 was not legal. Chairman Mercer stated that nothing was 'discussed' no documents were handed out and only one board member, Becker herself, presented a verbal summary of her data, that it was legally done. Discussion ensued with Mooney objecting to the discussion of the Executive Director evaluation in the executive session and Ryan stating that there was no discussion. The board needed to hear the result of the survey. After additional discussion and Ryan stating that the board has to respond to the AG's office, Chairman Mercer made a motion to address the open meeting law and respond to the state seconded by Ryan. **Roll call vote: Mooney nay (changed to abstain) DelMasto abstain, Akers abstain, Ryan aye, Mercer aye. Motion fails.**

Communication Policy:

Discussion tabled until the next meeting.

VI. LTO REPORT:

Local Tenants Organization (LTO) President Marlene Koloski reported that all was calm right now. Hand sanitizer and masks still available. Regarding the Memorandum of Understanding (MOU), Attorney Liebel still has it and Executive Director Danzy will check on the status.

VII BOARD COMMENTS:

DelMasto would like printed copies of the packets for future meetings. Ryan welcomed new members Akers and DelMasto and requested that it's important to be respectful of one another even if there is disagreement. Needing clarity, Akers asked if the AUP was done every year or was FY19 the first. Executive Director Danzy stated that the FY19 AUP wasn't the first, it happens every year but FY '19 was Executive Director Danzy's first AUP but that she was only an interim ED for the last four months of that FY. The recent audit review by K. Pace regarding Gary DePace's FY'19 AUP is part of the process and the next AUP will be for FY'20 [4/1/19-3/31/20]. Policies are being worked on and any strong recommendation from an audit makes things better for the running of the housing authority. Fee accountant Sue Honeycutt is available to answer questions if something isn't addressed. Mooney wanted an explanation of the housing authority response to a board of health issue in a Flag Rock unit. Chairman Mercer responded to Mooney that a housing authority response is a day to day issue and that it would not be addressed at this board meeting. Mooney disagreed with Chairmen Mercer insisting the board needs to be involved because violations of housing codes resulted in a cash settlement to a tenant. Chairman Mercer stated that this issue could be on the next board meeting. Discussion ensued with board member Mooney and Chairman Mercer talking over one another in a garbled fashion so as not to be transcribed. Breaking into the conversation, Akers stated as a new board member she knew nothing of the issue Mooney wanted to discuss. Chairman Mercer described the process and asked for an end to the conversation until the next meeting since this was not on the agenda for this meeting. Mooney insisted that the conversation continue at this meeting and continued talking at the same time as Chairman Mercer was speaking. Mooney continued to increase her speaking volume and continually read from documents she possessed at which point Chairman Mercer muted the board and adjourned the meeting.

VIII CITIZEN SPEAK:

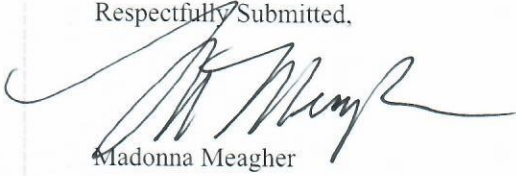
None

IX ADJOURNMENT: 5:04 p.m.

Chairman Mercer adjourned the meeting.

NEXT MEETING: To Be Determined

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Madonna Meagher', with a long, sweeping horizontal line extending to the right.

Madonna Meagher

Documents reviewed: Agenda, draft minutes 6/17/20, personnel policy vacation time, credit card policy, OML complaint by Mooney v Board of Commissioners, April, May, June monthly financials, Fenton Ewald quarterly report, PHN memorandum example, D.F. Lane landscaping bid

Pursuant to MA General Laws Chapter 30A, Section 20 (e) (f), meetings of the Great Barrington Housing Authority are regularly recorded. Any member of the public wishing to speak at the meeting must receive permission of the Chair. Listed agenda items are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.