

APPROVED
MINUTES OF BOARD MEETING
GREAT BARRINGTON HOUSING AUTHORITY BOARD MEETING
November 17, 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 3:32 p.m. In attendance by telephone roll call, board of commissioners: Chairman Mercer, Eileen Mooney, Louis DelMasto, Marie Ryan

Mary Pat Akers, absent

Executive Director Tina Danzy, Assistant to the Executive Director Madonna Meagher

Sue Honeycutt, fee accountant

Public that checked in: Marlene Koloski, President Local Tenants Organization LTO, Joe Merola, Vice-President (LTO)

II APPROVAL OF MINUTES FROM: Regular Meeting 9/23/20

Chairman Mercer asked the board if there were additional changes or comments regarding the corrected September 23, 2020 from the concerns Mooney had during the October 13, 2020 board meeting. Discussion ensued with Mooney requesting Citizen Speak portion of the minutes be written by someone other than Ms. Meagher if Ms. Meagher makes comments during a board meeting.

Ryan made a motion to approve draft minutes of 9/23/20 with the change. Mercer seconded the motion. **Roll call vote:**

Mooney nay, DelMasto nay, Ryan aye, Mercer Aye. Motion fails. 2-2

APPROVAL OF MINUTES FROM: Regular Meeting 10/13/20

Mercer made a motion to approve the 10/13/20 minutes. Ryan seconded the motion. **Roll call vote: Mooney nay, DelMasto abstain, Ryan aye, Mercer Aye. Motion fails. 1-1-2**

III EXECUTIVE DIRECTOR'S REPORT:

Executive Director Danzy reported that the COVID-19 protocols are still in place. There is increased concern with positive cases increasing in the Berkshires and in South County. Health and Safety checks on tenant apartments will wait but residents are asked to relay any concerns they have about their apartment. Face masks were ordered for free by the Executive Director and when they arrived, were handed out to all tenants.

Flag Rock Family unit shed roofs are being re-shingled by John's Home Improvement.

The Next GenX VCP communication system approved at the last meeting will begin next month.

Regarding the concerns with a Flag Rock family unit, Attorney John Liebel represents the GBHA in housing court and legal matters regarding this family and apartment.

Berkshire Bank current balance is \$293,355.00

AUP Auditor Gary DePace has completed four years with the GBHA, FY'21 will be his last AUP audit.

Executive Director Danzy reported she completed a Certified Financial Specialist course and received certification.

Fee Accountant Sue Honeycutt reported that the GBHA financials are good. Chairman Mercer asked board members if they had questions for the fee accountant. Discussion ensued with Mooney questioning the Payment in Lieu of Taxes (PILOT), what is meant by accrual, office expenses accounting categories including travel, legal and administrative other, the Resident Services

Coordinator (RSC), and the amount for the Local Tenants Organization (LTO). Sue Honeycutt addressed Mooney's questions regarding the GBHA financial budget.

IV OLD BUSINESS:

Executive Director Danzy gave an update on the Board of Health issues with a Flag Rock family unit. GBHA Attorney John Liebel is handling the legal aspects of the unit issues and the tenant including representing GBHA in housing court.

Memorandum of Understanding (MOU):

Executive Director Danzy updated the board that the MOU had been finalized and discussion ensued regarding copies of the MOU..

Communication Policy:

Ryan requested a copy of the communication policy and the vacation policy. **Mercer made a motion to review the communication policy at a later date with a full five board members in attendance. Seconded by Ryan. Roll Call Vote: Mooney aye, DelMasto aye, Ryan aye, Mercer aye. Motion passes 4-0**

Vacation Policy:: Not reviewed at this meeting.

V. NEW BUSINESS

Executive Director Danzy requested a board vote for a Brookside Manor change order from \$68,000 from \$71,850. **Mooney made a motion to approve the change order. Ryan seconded the motion. Roll Call Vote: Mooney aye, DelMasto aye, Ryan aye, Mercer aye. Motion passes 4-0**

Executive Director Danzy requested a board vote on the \$19,000 snow plow 2 year contract for all three GBHA properties. **Gary O'Brien who was the only bidder to respond to the GBHA. Mooney made a motion to approve the 2 year contract. Ryan seconded the motion. Roll Call Vote: Mooney aye, DelMasto aye, Ryan aye, Mercer aye. Motion passes 4-0**

Executive Director Danzy read a response from the GB Town Manager, Mark Pruhenski regarding the Housatonic Water Works (HWW) company. The Town will be working with the HWW and the Mass. Department of Public Utilities (DPU) to consider an abatement for the customers. Updates will be on the town website. Discussion ensued about water rebates for tenants.

Chairman Mercer suggested that the board attend an Open Meeting Law (OML) training session on December 15,2020 @12:30 p.m.

OML Complaints:

1. Chairman Mercer included in the Board packet the written decision (OML 2020-136) by the Attorney General's office (AG) office of four OML complaints initiated by Madonna Meagher alleging board member Eileen Mooney violated the OML. The AG's office resolved the complaint by informal action and "find that the Board, and Board member Eileen Mooney, violated the Open Meeting Law". The AG's office concluded that (1) The Board violated the Open Meeting Law by failing to approve minutes in a timely manner, (2) Board member Eileen Mooney deliberated outside of an open meeting via email, intentionally violating the Open Meeting Law. The Board was ordered to immediately comply and all future compliance with the Open Meeting Law. Future violation could be considered evidence of intent to violate the Open Meeting Law.
2. Madonna Meagher OML violation complaint of November 5, 2020 alleges Eileen Mooney deliberated outside of an open meeting via email when she responded to the decision from the AG's office (OML 2020-136). Ms. Meagher alleges Ms. Mooney continues and intentionally violates the Open Meeting Law. Ms. Mooney responded to the

complaint citing inaccuracies in Ms. Meagher's complaint and wanting specific emails referred to and clarifying that Ms. Mooney has a separate list (not necessarily "Newsletter" recipients) that she sends personal reports to.

VI. LTO REPORT:

LTO President Koloski thanked Executive Director Danzy and Chairman Mercer for finalizing the MOU. The LTO continues to have sanitizer for any tenant that needs some. The family units report that remote school learning is going well. Ms. Koloski reported that there was a 5th grade student (not a tenant) that tested positive for COVID. No current positive tests have been reported at the properties. Marie Ryan thanked Koloski for doing a great job connecting with tenants.

VII BOARD COMMENTS:

Mooney inquired about the Annual Plan for GBHA scheduled for December 15, 2020. Mooney also commented on family unit inspections, performance reviews, draft minutes watermarks, and collaboration with Fire Chief Burger.

VIII CITIZEN SPEAK:

None

IX ADJOURNMENT: 4:40 p.m.

Mercer made a motion to adjourn the meeting seconded by Ryan. Roll Call Vote: Mooney aye, DelMasto aye, Ryan aye, Mercer aye. Unanimous

NEXT MEETING: To Be Determined

Respectfully Submitted,

Madonna Meagher

Documents reviewed: Agenda, October financials, draft minutes 9/23/20, draft minutes 10/13/20, Snow Plow bid, OML 2020-136, OML 11/5/20 complaint, communication policy

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.