APPROVED

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BOARD MEETING
Great Barrington Housing Authority Board of Commissioners
Tuesday, October 15, 2019
Meeting held at Claire Teague Senior Center

PRESENT: Acting Chair James Mercer, Jackie Sinico, Eileen Mooney, Diane Dillon
Administration: Tina Danzy, Executive Director, Madonna Meagher, Assistant to the Executive Director

CALL TO ORDER
The meeting was called to order at 2:00 PM by Acting Chair Mercer.

MOVE TO EXECUTIVE SESSION WITH A RETURN TO OPEN SESSION
Executive Session to discuss the OML complaint under Purpose 1 for executive session: to discuss an Open Meeting Law complaint brought against certain members of the Board of Commissioners.

Mercer made a motion to move to executive session, Dillon seconded the motion. Roll Call: Mercer aye, Dillon aye, Sinico nay, Mooney nay. Motion Fails

Open session to discuss OML Complaint (see above)

Acting Chair Mercer asked Madonna Meagher to read the OML complaint she filed as an individual, not as an employee of the GBHA on October 1. The complaint was brought against the GBHA Board of Commissioners (specifically by board member Mooney and Sinico) for not approving draft minutes in a timely manner as required by Mass General Law.

Ms. Meagher reported that at the September 17th meeting, GBHA board minutes of August 6, August 16th, September 10th had still not been approved, and at the September 17th meeting, only the minutes of August 16th were approved and the others were to be continued until the October 15th board meeting. Ms. Meagher stated in her complaint she felt Ms. Mooney and Ms. Sinico were intentionally not approving the minutes in a timely manner, and as they vote as a block on a 4 member board, the minutes fail to be approved meeting after meeting. Ms. Mooney continually made suggestions and asked for changes in each of the minutes of the above mentioned board meetings. Ms. Meagher stated in her complaint that the egregious behavior of excessively editing and changing, what accounts to be minutiae by Mooney is not an isolated incident. GBHA board draft minutes of May 22, May 28 and June 18th, 2019 were not approved until the August 6 board meeting. Ms. Meagher asked the Attorney General’s office to take swift action to address the violations of not approving minutes in a timely manner. Ms. Meagher asked the AG’s office to have a board training session that was mandatory, not optional.

Ms. Sinico responded to the complaint by reading a prepared statement. Ms. Sinico wrote that not approving the board minutes in a timely fashion was not intentional on her part. Ms. Sinico cited the board packets for the meetings were not ready for review as early as she needed them to be so she and Ms. Mooney could read the draft minutes carefully and to be fully prepared for the meeting.

Ms. Mooney read her prepared statement of two pages responding to the OML complaint. After an opening statement, Ms. Mooney took Ms. Meagher’s complaints in order:

- Ms. Mooney wrote that she was not trying to stall the “timely approval” of draft minutes, but trying to ensure accuracy so that any reader of the minutes would know what happened in the meeting.
- Regarding the August 6th board meeting, Ms. Mooney sought corrections and/or clarifications on several sections of the draft minutes including: financial updates, the accountant working on the June budget, whether or not the certificate of compliance for lead paint was signed by the board, GBHA protocols was under a heading for employee cell phone stipend, and not agreeing to write about board duties or to put anything on the town website.
Regarding the September 10th meeting, Ms. Mooney wrote that she requested several corrections to the Special board meeting because the meeting was discussing allegations against Ms. Sinico and that the minutes might need to be used in court. Seeking correction and/or clarification of the draft minutes, Ms. Mooney wanted: the minutes to show that she and another person in the audience questioned the lack of Citizen's Speak on the agenda, why the Executive Director Danzy sat with the board at the table, why the complainants were not present at the meeting, what by-law/legal decision/or regulation the Acting Chairman used when he stated Ms. Sinico must recuse herself from voting, a statement by Mr. Phair requiring attribution, and the word “unverified” changed to “notarized” in reference to the statement read by Ms. Sinico.

Mercer made a motion to address the complaint that was required by the State by October 17th to work together as a board, to approve the minutes in a succinct and timely manner and in terms that the State has laid out and to have the minutes comply with the spirit of the law. Seconded by Dillon

Roll call vote Mercer aye, Dillon aye, Sinico aye, Mooney aye, then changed vote to abstain.
Motion Passed 3 aye, 1 abstention.

MINUTES – August 6, 2019, September 10, 2019, September 17, 2019

August 6th: Mooney asked that the time the Attorney Boyle left the meeting be added to the minutes. A brief discussion ensued about other possible changes (see open meeting complaint response by Mooney).

Mooney made a motion to approve August 6th minutes with added change of time of Atty Boyle leaving the meeting, seconded by Sinico. Roll Call vote unanimous.

Motion passes

September 10, 2019
A brief discussion ensued about adding an audience member questioning Citizen Speak not being on the agenda;

Sinico made a motion to approve the September 10, 2019 minutes with the addition of adding audience member who questioned Citizen Speak, seconded by Mercer. Roll call vote: Sinico aye, Mercer aye, Dillon aye, Mooney abstain

Motion passed: 3 aye, 1 abstention

September 17, 2019
A brief discussion ensued with Mooney requesting additions/clarifications/corrections to the draft minutes. Changes proposed by Mooney included clarifying that she and Ms. Sinico are tenants but also elected members of the board, clarifying “unverified”/“notarized”, adding names to the inspectors, rewording of quorum sentence, and clarification on no Citizen Speak on special meeting agenda.

Sinico made a motion to approve the September 17th minutes with proposed changes seconded by Dillon. Roll Call: Sinico aye, Dillon aye, Mercer aye Mooney abstained

Motion Passed

EXECUTIVE DIRECTOR’S REPORT:

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

Executive Director Danzy presented a check made out to Fenton, Ewald & Associates for their accounting services provided in August that needed a board signature. A discussion about the accounting firm ensued with Mooney questioning the $400 the firm is charging for their extra accounting service for Dewey Way. Executive Director Danzy suggested that the board discuss the contract with Fenton Ewald and determine if the fee is sufficient or change the contract. Executive Director Danzy stated that, in her opinion, if a vendor is providing a service, even if there isn’t a current contract, the housing authority needs to pay them for their services rendered. Acting Chair Mercer responded to the discussion mentioning that this is an unusual situation because Berkshire Housing was covering the accountant expenses for Dewey Way which was prior to the State merging Sheffield Housing Authority with Great Barrington housing authority. Mercer then added that Fenton, Ewald & Associates were not billing GBHA for their work and now they are and should be paid. Executive Director Danzy agreed to send an email to the accounting firm to see how they determined $400 as the additional charge for its services of Dewey. Mooney would like to see more information from Fenton, Ewald and Associates.
Mooney had a list of budget questions for Executive Director Danzy to answer. Referring to the budget report supplied by the fee accountant, Sue Honeycutt, Mooney questioned line items such as, AUP (Agreed upon Procedures) with a zero balance, the negative balance in the legal and the travel account, and the administrative salaries account balance. Executive Director Danzy responded that the budget is set by the State, and that while she, herself is not an accountant, Sue Honeycutt is on site once a month and could answer Mooney’s questions in her professional capacity. Stating that accountability needs to start with the board, Mooney read the Executive Director’s job description which includes overseeing the GBHA finances. Acting Chair Mercer responded to Mooney’s questions to Executive Director Danzy stating that for Mooney to be pulling out isolated line items, and insinuating that there are irregularities when they (Mooney) themselves are not a certified public accountant and it is not appropriate especially when there is a fee accountant approved by the State and that accountant is certified. Additionally there is auditing done by the State regularly.

Executive Director Danzy that she rent collections were on target, friendly reminders and 30 notices to quit were underway. Karen Lewis continues to get tenant recertification paperwork completed and there are still a few tenants that need to put in paperwork and sign papers. Credit on rents are being given to those tenants who had all their paperwork in before September 1. No credit will be given for tenants who have not supplied paperwork.

The current bank balance for GBHA is: $58,576.96 with 15K in outstanding checks. Dewey account stands at $57,371.23

Executive Director Danzy will be transferring money from the Dewey account to the GBHA account for August through October.

Executive Danzy reported that three pulls were made from CHAMPS list and three applicants have been offered the Brookside units: 5B, 3A and 3C. Another apartment at Brookside 4C is currently open and being refurbished. A CHAMPS pull will take place shortly to fill that unit. A family unit at Flag Rock will become vacant soon and an apartment at Dewey will be vacated soon. Executive Danzy noted that the inspections for all the units on the three properties increased the number of work orders and will result in increased expenses for repair/replace items. The DHCD assessment of GBHA properties suggested upgrades at the sites. RCAT is working with Executive Director Danzy, Rich Phair and Scott Sheridan and a draft of capital needs will be in draft form for board approval at the November meeting.

Executive Director Danzy will be meeting with a representative of National Grid to discuss their LEAN incentive program. This is an Income Eligible Energy Services Program. If our units qualify, our tenants might get a no-cost energy saving improvement, such as: a no-cost replacement refrigerator, clothes washer, dehumidifier, and/or window A/C unit if the current appliances are inefficient. Additionally, Executive Director Danzy has been in contact was Rob Horner, an IT specialist to get the wifi and hotspots upgraded and the possibility of changing to Spectrum and replacing Verizon. Energy information for the board packets should be ready to be in the board packet for the November meeting. Patriot Energy has also been in contact with Executive Director Danzy to assess our energy usage and to see if they could help us with cost savings on energy.

Addressing a parking complaint by several Flag Rock tenants, Executive Director Danzy informed the board that the handicapped spot for loading and unloading only is being violated by tenants who park their cars as if it were a regular space to be occupied for hours. Discussion ensued about the lack of handicap parking spaces overall. Ms. Sinico suggested she would like to contact the State to request an updated assessment of getting more handicapped parking spaces. Executive Director Danzy agreed to get a notice out to all tenants about the pick-up/drop-off limited time handicap parking space.

Executive Director Danzy will also attend an occupancy training on October 30th.

**OLD BUSINESS**

Acting Chair Mercer reported that the GB Board of Selectmen have extended the search for an appointment to the GBHA board. He mentioned that there were three current applicants: M. Koloski, L. DelMasto and H. Kenney. Board member Diane Dillon then reported that she would be resigning from the board due to moving out of town. She thanked everyone and said it had been a privilege to serve. Mooney questioned whether a seat on the board is available for a tenant or not. Citing that she and Sinico are tenants but have the distinction of being elected by the town, Mooney requested the legal reason a tenant isn’t required to fill the 5th seat on the board. Acting Chair Mercer reported that diversity and board training would take place when a new board is formed. Mooney would like the website information she passed out at a previous board meeting to be included on the November meeting.
LOCAL TENANTS ORGANIZATION (LTO)

LTO President, Marlene Koloski stated that her complete report on the LTO at this meeting would be focused on Acting Chair Mercer and his alleged “hand picking” of a Dewey tenant to be on the board. Koloski alleged that Acting Chair Mercer fabricated the Sinico allegations at the September 10th meeting, and further alleged that the Memorandum of Understanding (MOU) is being “stalled” by Mercer.

Acting Chair Mercer stated that Koloski’s statements and accusations were unfounded. He further reported that discriminatory issues are being reviewed by the State. Discussion ensued about the recap of the board members Sinico and Mooney, who left the Sept. 10 meeting ostensibly having a board with only two members left, thus no quorum. Acting Chair Mercer reiterated that he then sent a letter to the selectmen of the document alleging Ms. Sinico’s racist comments about tenants, he also reported that he went through the process with the State to bring the issue to light. Adding that since the allegation was made by Mr. Phair and Mr. Sheridan, seven additional people have come forward with complaints alleging racism and harassment by a board member. Acting Chair Mercer clarified that the GBHA was not investigating the issue, it was presenting the allegations to the Selectboard and the State for them to report on the facts of the allegations.

BOARD COMMENTS

Mooney questioned by what right did Acting Chair Mercer have about filing a complaint regarding Sinico on Sept. 10. Acting Chair Mercer stated that he utilized counsel before any letter was submitted to the board of selectmen.

Mooney submitted a request to have a special board meeting on October 29, 2019. She presented the board with the proposed agenda for the meeting including, review on minutes presented, discussion on accounting procedures, a GBHA maintenance plan, evacuation plan for GBHA facilities, and evaluating the Executive Director’s job performance. All items would have a vote and how to proceed from there. Ms. Sinico requested that the notarized letter she read from Vera Cartier be entered into the minutes of this meeting.

CITIZEN SPEAK

Members of the audience, some tenants, and some public citizens asked questions of Acting Chair Mercer about the status of the LTO and the MOU. Acting Chair Mercer responded to the question that the GBHA lawyer is reviewing the documents. Some tenants questioned the difficulty of getting a 5th member on the board, and especially a representative from Sheffield, to which Acting Chair Mercer stated that he is trying to be proactive to get the seat filled. Discussion from several audience members focused on the missing Citizen’s Speak on the agenda at the September 10th meeting. Acting Chair Mercer explained that the meeting was called for an executive session where no members of the public could attend, but Ms. Sinico chose to have it in open session. Legal counsel determined that Citizen’s Speak would not be on the agenda. Acting Chair Mercer reiterated that the board meeting was not a trial, just a meeting to raise concerns about a board member. Other comments from the public focused on the protocol of the board meetings with Acting Chair Mercer officiating. The Open Meeting Law rules from the State Attorney General’s office were questioned by the public. One tenant suggested senior safety be promoted by the police and fire drills were necessary as her apartment was recently burglarized.

NEXT MEETING: November 19th @ 2PM CLAIRE TEAGUE SENIOR CENTER

ADJOURNMENT: 3:45 pm. Sinico made a motion to adjourn, seconded by Mooney. Unanimous by board.

Mercer made a motion, seconded by Dillon to adjourn the meeting at 3:27 PM. Unanimous approval.


Respectfully submitted,

Madonna Meagher

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