

Brookline Housing Authority
Regular Meeting Minutes
November 10, 2009
90 Longwood Avenue
4:30 PM

The meeting was called to order by the Chairman, Mr. Trietsch at 4:35 PM. Those present included Ms. Dugan, Mr. Jacobs, Ms. Berman, and Ms. Sullivan.

Ms. Berman reported that the Scholarship Committee considered 25 essays. This was double the numbers of applicants that have submitted essays in the past. There was a consensus that 4 of the essays were truly outstanding and the recommendation of the Committee is to grant these authors awards of \$750 each. The other essays were very good as well. The Committee recommends awards to these authors of \$325 each. The Committee did not want to exceed a total of \$10,000 in scholarships.

Mr. Cloonan said that the Home For Little Wanderers was responsible for most of the money in the BHA management account used to pay for the scholarships. Unfortunately, they are no longer renting the space at 22 High Street.

Mr. Jacobs said that the BHA Scholarships are a great thing. He is concerned, however, about the \$12,000 cut in programming for the learning centers. He would like to discuss how these decisions are made.

Mr. Cloonan said that the BHA Scholarships are a one time expense. The BHA raised expectations for scholarship applicants in September. The Governor's cuts occurred unexpectedly in October and required immediate attention. However, the BHA has just learned that the \$8 million Trustman comprehensive modernization project is back on the state's funding schedule. This will positively affect the BHA's operating budget. Unfortunately, Mr. Cloonan hasn't had the time to fully absorb its budget implications.

Mr. Trietsch said that the 25 scholarship awards are a great thing for a housing authority that prides itself on doing more than housing.

On a motion from Ms. Berman and a second from Ms. Dugan: the expenditure of \$9,825 from the BHA Management Account per the recommendation of the BHA Scholarship Committee was unanimously approved.

Ms. Dugan asked how many of the scholarship recipients were participants in the Steps To Success program. Mr. Cloonan said that he could get these figures. He said that there were 2 or 3 parents set to receive awards. The Scholarship Committee wanted to support all types of students.

Mr. Trietsch brought forward the consent agenda. Ms. Dugan asked if the item concerning the grievance hearing officer could be pulled from the vote so that it could be discussed separately. Mr. Jacobs asked if the item concerning the change order with J &

M Construction could also be pulled from the vote for further discussion. **On a motion from Ms. Sullivan and a second from Mr. Jacobs, the consent agenda: to adopt the minutes of the regular meeting held on October 13, 2009; to adopt the minutes of the executive session held on October 13, 2009; to award the contract for roof repairs at the Walnut Street Apartments in the amount of \$41,189 to Caffery Roofing and Painting; and to award the contract for lead paint testing at the Egmont Street Veterans Apartments in the amount of \$16,100, was unanimously approved.**

Ms. Dugan wondered if there could be a fair grievance hearing from an Executive Director of another housing authority. Years ago, as a representative of the Tenant Association, Ms. Dugan witnessed the prior BHA Executive Director and the BHA hearing officer meeting prior to a grievance hearing. Although they may not have been discussing the case, there was an appearance of unfairness. An Executive Director, with their familiarity with all the rules and regulations, might give an unfair advantage to the housing authority.

Mr. Cloonan said that there have been very few grievances at the BHA over the years – an average of maybe one every 2 years. Sandra Bakalar, the current grievance hearing officer has been serving in this capacity for over 20 years and would like to retire. Mr. Cloonan has asked 3 individuals if they would be interested but no one has agreed to be considered. It is not uncommon for Executive Directors to be grievance hearing officers for other housing authorities. Most cases are really decided in court. However, because grievance hearings are offered to all public housing tenants as part of their due process, the lack of a grievance hearing officer is tying up a couple of BHA legal cases.

Mr. Trietsch suggested that because this is a question of impartiality, the Board might want to revisit the issue next month.

Mr. Cloonan said that he would appreciate any recommendations from the Commissioners as to who might be a good candidate for a grievance hearing officer.

Mr. Jacobs said that Harvard University trains mediators and perhaps there is someone trained who lives in Brookline. Ms. Sullivan suggested that law students might be interested. Mr. Cloonan said that these were good ideas and he welcomed any more feedback on the issue.

Mr. Jacobs asked if unit prices were considered when selecting the lowest base bid for the site work at the Col. Floyd Apartments, as the change order being considered adds substantially to the scope of the work. Mr. Cloonan said that the award was made on the base bid price, however the hope prior to bidding was to add to the scope if possible pending the actual price of the base bid versus the actual grant.

Mr. Jacobs asked why the BHA didn't set the bid using a larger scope of work. Mr. Cloonan said that the bid came in under the estimate at which point the BHA realized that it could get more work done within the budget.

Carolyn Correnti, BHA Capital Improvements Coordinator, said that unit prices are subject to negotiation. Therefore, if a unit price is out of line, it can be rejected and renegotiated. It is her recollection that the unit prices bid in this job were in a similar range.

Mr. Jacobs said that if the BHA knew it was going to add to the scope of work, it should have done an analysis of the unit prices before the award to insure it was in fact getting the low bid. Otherwise, someone from the outside could look at it and think it was unfair.

Mr. Cloonan said that he would file these comments away. He will look to better define the scope of work in future bid documents and to do a unit price analysis before a Board vote. He believes in this case, the award went to the contractor with the lowest price even with the expanded scope of work.

On a motion from Ms. Dugan and a second from Ms. Berman: Change Order Number 1 with J & M Construction in the amount of \$31,075 was unanimously approved.

Mr. Cloonan reported that his focus this month has been almost entirely on federalization and budget cuts. He is behind in everything else.

Mr. Trietsch said that the tough federalization timeline is causing chaos. However, the payoff in increased revenues would be huge. He wondered what the chances were of getting approval.

Mr. Cloonan said that his understanding is that HUD has moved from a position where they were instructing their lawyers to find ways to kill applications, to accepting the fact that 5,000 – 7,000 units will be federalized in New England. One major hurdle is the fact that all new units must meet federal physical standards. Also, many housing authorities cannot apply because they do not have the \$2,000 per unit in stimulus money to spend.

Ms. Dugan asked what up front expenses the BHA will incur in putting forward these applications.

Mr. Cloonan said that the BHA will be performing lead paint inspections at the Egmont Street Veterans Apartments and the state has agreed to pay for this. The estimate for the testing is about \$20,000. The BHA has engaged Bernie Stewart, a consultant, to assist in putting together the federalization applications. This expense will be about \$8,500.

Mr. Trietsch asked what the deciding factor would be for HUD approval.

Mr. Cloonan said that Congressman Barney Frank representing the BHA's district should help. Mr. Cloonan believes that HUD will want to take some of the best developments in the state portfolio. Col. Floyd is in great shape, but HUD has not clarified whether the lack of accessible units will be a deal breaker. Lead paint could also be a deal breaker for Egmont Street Veterans Apartments. This development could also fail a REAC

inspection in areas such as foundation cracks, conditions of basements, trees located too close to the buildings, etc. But with the financial rewards of federalizing being so great, Mr. Cloonan feels the BHA needs to go forward with the applications. HUD is hoping to give preliminary approvals by the end of the year.

Mr. Jacobs asked if HUD wants to see that housing authorities have addressed all their capital needs. Mr. Cloonan said that no one has addressed all of their capital needs.

Mr. Jacobs asked if the Town is aware of the BHA's plans to federalize. Mr. Cloonan said that he spoke with Brookline Planning Director Jeff Levine about the issue last week. The Town would need to change their numbers in the cooperation agreement with the BHA.

Mr. Jacobs asked for a breakdown of the \$80,000 federalization expense. Mr. Cloonan said that this figure includes expenses for lead paint testing, consultant fees, attorney fees, tenant relocation, as well as an environmental review. With the exception of lead paint testing, the BHA has not gotten a response from DHCD regarding their covering these costs. Mr. Cloonan thinks with the November 23rd deadline, the BHA needs to go forward regardless. If successful, this effort will pay for itself in less than 2 years.

Mr. Jacobs reminded Mr. Cloonan that the Board will need to revisit the issue of Fair Market Rent and its effect on Brookline lease ups at a future meeting. Mr. Cloonan said that he was still working on these numbers.

Mr. Trietsch said that he appreciated the report on the elevator improvements and disruptions in operations. It looked like there were many problems in August and October which is a big concern. He asked how things were going at this point.

Mr. Cloonan said that there has only been one recent problem. In almost all occasions, there has been at least one of the two elevators operational. He thinks the BHA is over the hump on this issue.

Mr. Trietsch said that with respect to the proposed budget cuts, the concept of closing the learning centers bothers him. He asked about their level of usage.

Mr. Cloonan said that the Trustman learning center is very busy in the afternoons, averaging between 25 – 30 kids. The High Street Veterans learning center has about 8 – 10 kids in the afternoon and isn't as busy as the Trustman center at night.

Mr. Trietsch asked if the BHA could tap into the same funding source used for the BHA Scholarships to temporarily carry the learning centers through this budget period.

Mr. Cloonan said that this would be possible. In addition to the BHA management account, there is money that could be tapped from the Section 8 unrestricted reserves as well as the Central Office Cost Center. Mr. Cloonan said that he would like to keep working on the plan to implement the budget cuts. Other factors that need to be

considered in the budget analysis include savings from landscaping and trash removal line items, as well as the Trustman modernization administrative fees.

Ms. Berman asked if staffing was the biggest cost factor associated with the learning centers. Mr. Cloonan said that staffers are very expensive, as most of them are teachers.

Mr. Trietsch said that he liked the idea of keeping the quality of the product high by using teachers as staffers.

Mr. Jacobs suggested that the BHA might find that there are others that could do the same thing.

BHA resident, Bobby Joe Bell, explained that he is a certified teacher and has found it hard in the past to get jobs because he was deemed overqualified. He said that a 22 year old wouldn't have as much to offer.

Mr. Trietsch thanked Mr. Bell and said that his point was well taken. He feels that the BHA should look close to home for people to staff the learning centers.

On a motion from Mr. Jacobs and a second from Ms. Sullivan: authorization to implement the 4.75% budget cut effective October 1, 2009 as outlined, while finding alternative funds to prevent the \$12,000 cut to the learning centers, was unanimously approved.

Mr. Cloonan said that he would need a Board vote to authorize the Executive Director and the Chair to sign and submit a letter of intent and an application, along with other documents pertaining to federalization. Separate applications will be submitted for the Col. Floyd Apartments and the Egmont Street Veterans Apartments. **On a motion from Ms. Dugan and a second from Ms. Sullivan: authorization to submit a letter of intent and an application to federalize Col. Floyd Apartments and Egmont Street Veterans Apartments and to allow the Chairman of the Board and the Executive Director to sign and submit documents and forms as required by HUD, was unanimously approved.**

Mr. Cloonan said that a special meeting will be needed to amend the ARRA capital grant relevant to the \$2,000 per unit requirement for federalizing a development. If the federalization proposals are not approved by HUD, the stimulus money will have to be reprogrammed once again into the existing federal developments.

Mr. Trietsch confirmed that a special meeting is scheduled for Thursday, November 19, 2009 at 8:30 AM. The next regular meeting is scheduled for Wednesday, December 9, 2009 at 4:30 PM at the Morse Apartments.

On a motion from Ms. Sullivan and a second from Ms. Berman, the meeting was adjourned at 6:10 PM.