

Brookline Housing Authority  
Regular Meeting Minutes  
September 15, 2009  
22 High Street  
4:30 PM

The Meeting was called to order by the Vice Chairman, Mr. Jacobs, at 4:45 PM. Those present included Ms. Dugan, Ms. Berman and Ms. Sullivan.

Mr. Cloonan said that he hoped a BHA Scholarship Committee meeting would be convened soon so that awards can be made at the October Board meeting. The deadline for BHA Scholarship applications was September 10<sup>th</sup>. 23 applications were received.

Mr. Cloonan explained that he is trying to reformulate his Monthly Board Report. What he has come up with so far is a work in progress. He said that he is open to suggestions. Mr. Jacobs said that he liked the changes.

Mr. Cloonan said that the date for the Public School / Public Housing collaboration symposium at U Mass Boston is set for November 4, 2009. Speakers that have confirmed include: Tina Brooks from DHCD; Paul Tough; Paul Reville, Massachusetts Secretary of Education; and Keith Moxley, the Chancellor of U Mass. Governor Patrick will be invited to read from the draft of his new book.

Mr. Jacobs said that Governor Patrick is very interested in this subject. At the CHAPA annual dinner a couple of years ago, the Governor chose to focus on education rather than housing.

Mr. Jacobs asked who was sponsoring this event. Mr. Cloonan said that they were still working on the details. Two of the sponsors are the Workforce program at the Cambridge Housing Authority and the Steps To Success program in Brookline. U Mass Boston will most likely be a sponsor as well.

Mr. Cloonan said that BHA staff needs to brush up on the regulations pertaining to its applications for stimulus grant money. He has heard that the reporting requirements are a nightmare. Some contractors are refusing to participate in stimulus work because of this.

Mr. Jacobs asked if the BHA could cluster the stimulus jobs into a single bid package to ease the reporting burden. Mr. Cloonan said that he believed there is actually less red tape if the jobs are valued under \$100,000.

Mr. Cloonan said that he had a conversation with Fran Price about alternative funding sources for the conversion of townhouse units to create two new units and the creation of accessible units at the Trustman Apartments. These items were part of the comprehensive modernization project whose funding has been suspended by the state. BHA staff is working on some cost estimates. Ms. Price said that the Town would entertain our proposals.

Mr. Cloonan said that Fran Price is encouraging the BHA to consider a merger with the Town's CHODO, currently BIC. They get a percentage of the Town's HOME money for their operations, presently around \$25,000. This could help fund a BHA planner. Mr. Cloonan would like to discuss this subject with the BHA Development Subcommittee.

Mr. Jacobs agreed that this subject needs to be discussed. He imagines that BIC would not like to see any cut in their allocations. Also, if the BHA Board is reconstituted as another organization, it could bring with it issues such as prevailing wages and filed sub bids.

Mr. Jacobs asked about the zoning approval extension for the Trustman Apartments. Mr. Cloonan said that the extension is for one year, beginning August, 2009. A permit would need to be obtained within this period.

Mr. Jacobs suggested that the one year deadline on the variance might allow the BHA to go back to DHCD with a sense of urgency.

Mr. Cloonan said that DHCD is implying that no jobs over \$2 million will go forward at this time. Therefore, they almost certainly won't fund the Trustman kitchens or the rear hallways. But the 2 new units and the ADA units might be viable. He is investigating with Sue Cohen whether or not the zoning variance would be valid if the BHA went forward with only one or two of the three items included in the variance.

Mr. Cloonan reported that staff did a great job leasing up the 6 St. Aidan's units. Five units went to Brookline residents. Two BHA residents moved into special needs modified units.

Mr. Cloonan said that CDBG expenditures are in great shape. The 2008 and 2009 money is right on schedule.

Agnes Rogers reported that everything is quiet at the developments. She gave credit to the BHA for a job well done. She heard that the recent meeting for residents at the Col. Floyd Apartments regarding federalization was well received, with the exception of one tenant.

Mr. Cloonan said that an income exclusion provided to a particular disabled veteran living at Col. Floyd Apartments would be lost if the development is federalized. This resident recently transferred to this development from a family development.

Mr. Cloonan explained that included in the federal stimulus bill are provisions allowing an increase in the total number of units under the BHA's contract with HUD. In theory, this would allow the BHA to convert a state development into a federal development. The incentive for doing this is the potential for added operating and capital funding. Over the past decade, the federal government has subsidized the BHA at a level of 87%-88% of need. The state government funds the BHA at about 50% of need.

Mr. Cloonan said that to be considered for federalization, a state development would have to pass a HUD physical inspection. The Col. Floyd Apartments is the most likely state development to meet this threshold because of the capital improvements it has undergone in recent years. However, HUD expects 5% of the units to be wheelchair accessible and there are no accessible units at Col. Floyd. BHA Attorney Sue Cohen has explained that under the federal tax credit program, a development can qualify if it has a transition plan to create the required number of wheelchair accessible units. The question is whether or not this rule applies to public housing and the stimulus bill.

Mr. Cloonan explained that federalization and the regulatory changes it would bring would impact some residents more than others. The age of eligibility under the federal program is 62 versus 60 under the state. This might affect one resident. The federal program requires proof of citizenship or legal residency and the state program does not. This could affect one resident, although it is unlikely. There is an earned income disregard of up to \$8,320 under the state program. 8 to 10 residents might lose this exclusion. And one resident receives the disabled veteran exclusion previously discussed. However if the Col. Floyd Apartments is federalized, many of these residents would be given the option to transfer back to a state development. Mr. Cloonan pointed out that for most residents, a federal elderly deduction of \$400 that is unavailable in the state program would result in a slight rent decrease.

Mr. Cloonan said that unfortunately there have been no conversations on the subject of federalization between DHCD and HUD. He has heard that HUD is having its legal team look for reasons to reject federalization proposals. The issue is far reaching, in that PHAs across the country could purchase private housing and add it to their contract with HUD.

Mr. Cloonan said that it is his preference to investigate the federalization option but not to commit a lot of money to it. He estimates that it would cost around \$25,000 to fully prepare a conversion request to HUD.

Mr. Jacobs asked if the BHA should be addressing the Col. Floyd accessible unit deficit anyway. He asked where the accessible unit issue stands in the capital improvement plan.

Mr. Cloonan said that accessible units are near the top of the capital improvement list at the Col. Floyd Apartments, since most major capital improvement needs have been addressed. However, the creation of accessible units at Col. Floyd will be a difficult undertaking. Units could be lost. Mr. Cloonan has asked architects Buck, Smith & McAvoy to prepare some preliminary concept drawings for accessible units.

Ms. Dugan asked who attended the Col. Floyd Apartments meeting. Mr. Cloonan said that there was a very high turnout – 32 residents attended. He was able to dispel rumors and reiterate the BHA Board's intention to house the same profile of residents in the future that it has historically housed.

Mr. Jacobs brought forward the consent agenda.

Mr. Cloonan explained that the minutes of the August meeting have not yet been completed, so this item should be removed from the consent agenda.

Ms. Dugan asked if Mr. Cloonan had discussed with residents of the Col. Floyd Apartments the idea of the dedication of the sitting area in memory of Jack Hollowell. Mr. Cloonan said that he had not done this. It was decided that this item should be taken off the consent agenda until Mr. Cloonan has a chance to discuss the issue with residents.

**On a motion from Ms. Dugan and a second from Ms. Berman, the consent agenda: to authorize wage increases for exempt staff as outlined, effective April 1, 2009; and to award the contract for surface paving and accessibility improvements to J & M Construction at a base bid of \$41,500, was unanimously approved.**

Kelley Pope, a BHA resident, said that a neighbor of hers has been harassing her, and another neighbor has been cutting down her flowers. She said that her complaints have not been adequately addressed by BHA staff.

Mr. Cloonan said that the BHA ultimately has only one tool to enforce its rules, and that tool is eviction. It is very difficult to ask a judge to evict someone for cutting down flowers and even for harassment when lacking evidence of arrests or convictions. The BHA's attorney is working on this case, however, the legal process can sometimes be long and drawn out.

Mr. Jacobs asked about the BHA process when someone reports that they are threatened. BHA Housing Manager, Nereida Otero-Torres explained that she asks for a police report and if no report exists, she relies on the testimony of others. She then explained the eviction process starting with a pre-eviction conference. BHA Assistant Executive Director, Matthew Baronas added that in some cases, the BHA can get a judgment in court in a matter of weeks, but in less compelling cases, the legal process can take years.

Mr. Jacobs asked if there were any options other than doing nothing or eviction. Mr. Baronas said that the BHA sometimes steers cases into mediation.

Mr. Jacobs confirmed that the next regular meeting is scheduled for Tuesday, October 13, 2009 at 4:30 PM at the O'Shea House.

**On a motion from Mr. Jacobs and a second from Ms. Berman, the meeting was adjourned at 5:35 PM.**