

**BROOKLINE HOUSING AUTHORITY BOARD MEETING
TUESDAY, OCTOBER 8, 2024, 4:30 PM
90 LONGWOOD AVE**

AND

**By Telephone Conference Call: (929) 205-6099
or by Meeting Link: [ZOOM](#)**

<https://us02web.zoom.us/j/85795630378?pwd=Be5JKPkWsv3dPFu6JdKgubrvLtSw50.1>

Meeting ID: 857 9563 0378

Passcode: 246183

The meeting was called to order by Mr. Jacobs at 4:30 PM. Present: Ms. Katz, Ms. Cohen, Ms. Dugan, Ms. Richardson, and Mr. Jacobs.

1. Call to Order.
2. Board Reports.
3. Executive Director Report. No Votes.

In his last report as Executive Director, Mr. Alperin shared BHA highlights and accomplishments during his 4+ years tenure along with the following updates:

Staffing Updates: Jacksel Castro, new Property Manager for Egmont Street Veterans and Trustman Apartments. There is still an opening in the Maintenance Department for one Lead Mechanic.

Family Self Sufficiency (FSS) Funding Application and Eligibility: The BHA applied for an “unfunded” FSS Program in conjunction with the Town of Brookline Spring 2024 ARPA grant award to allow the BHA to offer self-sufficiency programming and other financial incentives to Federal program participants until December 2026. The BHA just received approval for the program which will be funded through the Town’s ARPA funds. The BHA will soon hire a new coach to help with this initiative which will be similar to its successful State Public Housing SSP program.

HAP Shortfall – Section 8 Program: On September 25, 2024, HUD notified the BHA it is projecting a shortfall for its Housing Choice Voucher (HCV) program. The BHA is working with HUD to apply for HAP Set-Aside shortfall funds under Category 1–Prevention of Terminations Due to Insufficient Funding (Shortfall). The BHA is also ensuring HUD fully budgets for, and understands, the additional HAP expenses anticipated to arise from the November–December lease-up of 34 remaining units at 50 Pleasant St. HUD will fully fund these units under an AHAP and as approved under a Section 18 plan previously. The BHA already discussed this potential shortfall and updated the Board in August 2024. It is not anticipated that the BHA will be unable to meet any current voucher holder HAP requirements but will continue not to issue new vouchers to applicants at the instruction of HUD and will cease absorbing portable vouchers from other jurisdictions.

HOTMA Update: HUD again announced the delay of HOTMA Section 102 and 104 implementations until Federal data systems can be updated and HUD can update its software. The BHA will continue to monitor HUD guidance and keep both the Board and public informed about the timing of any forthcoming changes.

50 Pleasant Street Substantial Completion and LEAN Commitment: Redevelopment is nearing substantial completion. The 84.62% construction completion requisition (Req 22) was funded, and substantial completion is still anticipated on October 24, 2024 – with the community room and other common areas completing slightly earlier. Multiple BHA departments have been qualifying applicants and preparing for a successful lease-up of the remaining 34 vacant units between Nov. –Dec. 2024, ahead of pro forma.

Shortly after Substantial Completion and inspection, the BHA will receive a LEAN Incentive Payment from Action for Boston Community Development, Inc. (ABCD) for \$3,018,197.05. These incentive payments are through the Commonwealth’s quasi-public ratepayer program to fund energy efficient upgrades to affordable housing. This incentive is comprised of payment for:

- Roof Insulation R30: \$197,040.00
- ASHP VRF System: \$2,471,157.05
- Wall Insulation R12: \$350,000

Since the LEAN incentive commitment was received in April 2024 after the start of the BHA fiscal year and FY 2025 budget submission and subject to timing uncertainty, the BHA did not include these incentives in its development and retained earnings budget. The result will be a \$3,018,197.05 one-time revenue increase and budget surplus in FY 2025.

22 High Street Pre-Development Progress: Pre-development work for the future Walnut-High 181-unit, two-phase development is proceeding apace with the BHA development team planning for a submission to the Commonwealth’s competitive affordable housing financing round in February 2025. The BHA is on track to submitting a competitive financing application to the State for the future 22 High-Walnut St. Phase I redevelopment. To meet this targeted submission timing the BHA Development team:

- Submitted a formal application for a Brookline Planning Department review of the proposed development. The Planning Department will hold hearings between October– December 2024 to approve the design under the MBTA-CA special zoning district approved by Town Meeting.
- Received an affirmative vote from the Town’s Housing Advisory Board committing \$7.5M of Affordable Housing Trust Fund dollars to Phase I of the project (\$3.75M CPA grant will be assigned to the Affordable Housing Trust), along with a recommendation to waive building permit fees and reduce PILOT taxes to \$1. The Select Board was to vote on these matters on October 8, 2024.
- Will submit the formal Section 18 demolition/disposition application to HUD in the coming month upon BOC approval and D3G obsolescence report update to be voted on by the BOC that evening.
- Developed a pro forma for Phase I financing (along with its Development Consultant) and is preparing to submit the Pre-Application to the Executive Office of Housing and Livable Communities in November 2024 to be formally invited into the February 2025 competitive financing round.
- Developed a condominium ownership structure (along with Nolan Sheehan Patten) to support the multi-phase development and is anticipated to exempt the project from Chapter 149 filed sub-bid requirements.

The BHA is also talking to Mass Housing about their tax-exempt bond deck commitments and working through their pipeline.

Brookline Community Development Corporation (BCDC) Gala: The BCDC’s 2nd Annual Gala is Saturday October 19, 2024, at 6:30 pm. The BHA will be honored with the “Developer of the Year” Award.

Resident Advisory Board (RAB) and Annual Plans: The BHA is preparing its HUD and EOHLC Annual Plans. On October 30th at 1PM, the BHA will hold a RAB meeting to solicit feedback from residents on the these plans. Residents interested in participating should contact Ms. Brown. Commissioners will be asked to review and

approve the EOHLC Annual Plan at a hearing on December 10, 2024, and the HUD Five-Year Annual Plan at a hearing on January 14, 2025, prior to the Board meetings.

Vacancy rates: There continues to be high vacancy rates at Egmont St. Vets and Trustman Apartments due to unit renovations. There was an error on page 13 of the BOC packet—there were two vacancies as opposed to one at 61 Park, bringing the total to three at the end of the period.

Modernization/Capital Improvements: Due to a growing project list, the team is working on over \$24M of projects outside of development activities.

2025 BOC Meeting and BHA proposed Calendars: Commissioners should inform Ms. Brown of any conflicts. The State’s guidance on conducting hybrid meetings ends March 2025, with a requirement there be a quorum of at least three Commissioners attending in person. Continuing to offer hybrid meetings was recommended.

4. Public Comment. No Votes. No Comments.

5. Consent Agenda. **Vote to approve Consent Agenda, Items 5.A. through 5.F.**

5.A. Approval of Minutes. **Vote to approve the September 10, 2024, Board Meeting Minutes**

5.B. Change Order—High Street Veterans Bathroom Fan Project. **Vote to approve Change Order #2 for a credit in the amount of \$14,806.08 with Araujo Bros. Plumbing, Inc. for the High Street Veterans bathroom fan Phase II project.**

5.C. Change Order—High Street Veterans Stairwells and Hallways Project. **Vote to approve Change Order #3 for a credit in the amount of \$3,975.63 with Homer Contracting, Inc. for the High Street Veterans stairwell and hallway renovation project.**

5.D. Change Order—190 Harvard Street Exterior Façade Project. **Vote to affirm Change Order #3 for a credit in the amount of \$247.45 and a no cost time extension of 92 days with Contracting Specialists Inc. for the 190 Harvard Street façade and brick repointing project.**

5.E. Substantial Completion—190 Harvard Street Exterior Façade Project. **Vote to approve Substantial Completion with Contracting Specialists Inc. for the 190 Harvard Street façade and brick repointing project. Substantial Completion has been approved by the project architect at BWA Architecture.**

5.F. Final Completion—190 Harvard Street Exterior Façade Project. **Vote to approve Final Completion with Contracting Specialists Inc. for the 190 Harvard Street façade and brick repointing project. Final Completion has been approved by the project architect at BWA Architecture.**

On a motion by Ms. Cohen and a second by Ms. Katz, **agenda items 5.A. through 5.F. were unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

6. 2025 Payment Standards Housing Choice Vouchers. **Vote to approve payment standards for the Housing Choice Voucher (Section 8) Program at 98% of the HUD FY 2025 Small Area Fair Market Rents for tenant-based and project-based units in Brookline, and at 110% of the Metropolitan Area Fair Market Rents for municipalities outside Brookline.**

Mr. Hillis explained Commissioners must annually approve proposed payment standards, which are the maximum levels of rental assistance the BHA can provide residents in its Section 8 Program. For the first time in his 13-year experience, Fair Market Rents in this area have been lowered.

On a motion by Ms. Dugan and a second by Ms. Cohen, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

7. Administrative Plan Housing Choice Vouchers. **Vote to approve the updated Administrative Plan to reflect changes made to HUD's requirements and regulations for the Mainstream voucher program as outlined in PIH Notice 2024-30, as well as changes clarifying VASH Program eligibility requirements.**

Mr. Hillis said HUD's changes to the Mainstream voucher program, were relatively small and effective immediately: residency preferences cannot be applied when selecting people from the wait list, and when someone is issued a voucher, they have a 120-day search time to utilize it and are eligible for a 90-day extension. He also clarified VA disability income isn't included when determining program eligibility.

On a motion by Ms. Katz and a second by Ms. Dugan, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

8. Contract Amendment Solar Energy Procurement. **Vote to approve an Addendum to the Power Purchase Solar Net Metering Contract with Agilitas Energy, LLC to revise the agreement to cover BHA State Public Housing electric accounts.**

Ms. O'Flaherty reported this contract will cover electricity needs for the 61 Park, 50 Pleasant, and 90 Longwood LLCs, and approval from the DPU is needed.

On a motion by Ms. Cohen and a second by Ms. Katz, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

9. Change Order—32 Marion Street. **Vote to approve Project Change Order #037 in the amount of \$166,925.92 with Delphi Construction, Inc. for the 32 Marion Apartments development project for: 1. Change carpet tile in Multi-purpose room to Flotex flooring, 2. Change carpet tile in offices/meeting room to LVT acoustical flooring, 3. Change Flotex Flooring in dining space to ceramic tile, and 4. Change LVT from click assembly to LVT acoustical tile.**

Ms. Maffei explained the reason for this change order is to instead use an improved type of flooring/ carpeting materials which are longer lasting and easier to maintain. The construction project is about 17% complete and out of the riskiest stage of development.

On a motion by Ms. Katz and a second by Ms. Cohen, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

10. Change Order—32 Marion Street. **Vote to approve Project Change Order #052 in the amount of \$162,860.19 with Delphi Construction, Inc. for the 32 Marion Apartments development project for: 1. The addition of a 6" water gate at the existing water main, 2. The extension of the proposed 8" sewer line, 3. Demo and replacement of the RCP storm drain piping, 4. Binder of new work area, and equipment/signage to accomplish added scope.**

Ms. Maffei said these changes were required by the Town after approving the BHA's plans, and it was decided not to fight them. Though it will be better for the project in the long run, it increases the

contingency spending to 25% of the owner's contingency. There is also a chance to apply for grant funding from the State for some grant funding to help cover this.

On a motion by Ms. Dugan and a second by Ms. Katz, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

11. Physical Needs Assessment Update—Walnut-High Redevelopment. **Vote to approve a contract in the amount of \$11,750 with Dominion Due Diligence Group (D3G) to update the Physical Needs Assessment (PNA) for Walnut High Apartments to be submitted as part of the Section 18 Demolition/Disposition Application to HUD.**

Ms. Youngstrom provided a brief review of the redevelopment project's history. The last PNA was conducted in 2019, and a current PNA must be included with the Section 18 application to HUD.

On a motion by Ms. Cohen and a second by Ms. Katz, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

12. Section 18 Demolition/Disposition Application—Walnut-High Redevelopment. **Vote to approve a resolution authorizing the submission of the Section 18 Application to HUD for disposition of the Walnut High Apartments to a new ownership structure in conjunction with the tax credit redevelopment of Walnut-High Apartments.**

Ms. Youngstrom explained the resolution goes along with the prior agenda item. An important part of the application is a resolution by the BOC that must be signed after the BHA has conversations with residents and the adjacent Brook House.

On a motion by Ms. Cohen and a second by Ms. Katz, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

13. Contract Award Audit/Tax Services. **Vote to award a contract to Daniel Dennis & Co for audit and tax return services for 86 Dummer LLC, 61 Park LLC, and 90 Longwood LLC in an amount of \$45,000 increasing 3% annually with an initial term of three years with two one-year renewal options.**

Mr. Kelley said an RFP process was conducted with bids received from four firms. He previously worked with this firm, feels they will be more of a partner with the BHA, and was also the lowest bidder.

On a motion by Ms. Dugan and a second by Ms. Katz, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Dugan-aye, Ms. Cohen-aye, and Mr. Jacobs-aye.**

14. Signatory Authority. **Vote to approve that the BHA appoint, pursuant to the terms set forth in the respective operating agreements of the Company Entities, the Executive Director, the Assistant Executive Director and the Chief Financial Officer of the BHA, upon their appointment by the Board from time to time, each as an authorized signatory of the Company Entities, who along with Michael Jacobs, acting singly, and in such capacity to be authorized to execute, acknowledge, deliver and record any instrument on behalf of the Company Entities.**

Vote to approve that Barbara Dugan be removed as a Manager of Manager Entities and BHA Holding Company LLC and an authorized signatory of the Company Entities, the Manager Entities and BHA Holding Company LLC.

Vote to approve that the BHA appoint the Executive Director, the Assistant Executive Director, and the Chief Financial Officer of the BHA, upon each person's appointment to such position by the Board, each as a Manager of the Manager Entities and BHA Holding Company LLC, along with Michael Jacobs, in accordance with the terms of the respective operating agreement for each entity.

Vote to approve that the BHA appoint the Executive Director, the Assistant Executive Director and the Chief Financial Officer of the BHA, upon each person's appointment to such position by the Board, each as an authorized signatory of the Company Entities, the Manager Entities and BHA Holding Company LLC, who along with Michael Jacobs, acting singly, and in such capacity to be authorized to (i) execute any documents on behalf of the Company Entities, the Manager Entities and/or BHA Holding Company LLC to be filed with the Secretary of The Commonwealth of Massachusetts, and (ii) execute, acknowledge, deliver and record any recordable instrument on behalf of the Company Entities, the Manager Entities and/or BHA Holding Company LLC purporting to affect an interest in real property, whether to be recorded in the registry of deeds or a district office of the Land Court.

Vote to approve that the BHA ratifies and confirms the formation of 50 Pleasant LLC and 50 Pleasant Manager LLC by the filing of a certificate of organization for each entity on August 19, 2021 with the Secretary of State of the Commonwealth of Massachusetts.

Vote to approve that the BHA ratifies and confirms the formation of 190 Harvard LLC and 190 Harvard Manager LLC by the filing of a certificate of organization for each entity on September 26, 2022 with the Secretary of State of the Commonwealth of Massachusetts.

Vote to approve that the prior votes authorizing the formation of the Company Entities, the Manager Entities, and BHA Holding Company LLC remain in full force and effect except to the extent modified by the foregoing votes and that Michael Jacobs shall continue as an Authorized Signatory and as a Manager of such entities as set forth in such prior votes.

Vote to approve that the Executive Director, the Assistant Executive Director or the Chief Financial Officer of the BHA or Michael Jacobs, each acting singly, be and hereby is, authorized, empowered and directed to take such actions and to execute such agreements and other documents (i) on behalf of the BHA itself, (ii) on behalf of the BHA in its capacity as the sole member of BHA Holding Company LLC, (iii) on behalf of the BHA in its capacity as the sole member of 86 Dummer Manager LLC, (iv) on behalf of the BHA in its capacity as the managing member of 61 Park Manager LLC, (v) on behalf of the BHA in its capacity as managing member of 90 Longwood Manager LLC, (vi) on behalf of the BHA in its capacity as managing member of 50 Pleasant Manager LLC, (vii) on behalf of the BHA in its capacity as the sole member of 190 Harvard LLC and 190 Harvard Manager LLC, and (viii) as an authorized signatory on behalf of the Company Entities, the Manager Entities and the BHA Holding Company LLC, as such person may deem necessary or appropriate in connection with the matters authorized in the foregoing resolutions. The performance by the Executive Director, the Assistant Executive Director or the Chief Financial Officer of the BHA, or Michael Jacobs, of any action and the signature of such Executive Director, the Assistant Executive Director or the Chief Financial Officer of the BHA, or Michael Jacobs, on any agreement or other document shall be conclusive evidence of such person's authority to take such action or to execute such agreement or other document on behalf of such entities.

On a motion by Ms. Cohen and a second by Ms. Cohen, to amend this agenda item to read "Michael Jacobs in his capacity as Board Chair," this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.

15. Executive Director Interim Appointment. **Vote to approve Lisa Brown, Assistant Executive Director, as Interim Executive Director as of October 21, 2024, upon the completion of current Executive Director Michael Alperin's tenure and until such time as a new Executive Director is appointed by the Brookline Housing Authority Board.**

On a motion by Ms. Dugan and a second by Ms. Katz, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, Ms. Dugan, and Mr. Jacobs-aye.**

16. Contract Approval. **Vote to approve a contract with Michael Alperin beginning October 21, 2024 for various consulting services and training of a new Executive Director at an hourly rate of \$170 per hour.**

Mr. Jacobs reported that Mr. Alperin has agreed to provide consulting services through 2025.

On a motion by Ms. Katz and a second by Ms. Cohen, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Dugan-aye, Ms. Cohen-aye, and Mr. Jacobs-aye.**

17. Contract Approval—Search Consultant. **Vote to approve a contract with Ann L Silverman Dba Ann Silverman Consulting in an amount to assist the Brookline Housing Authority with executive search functions in conjunction with the hiring of a new Executive Director in the amount of \$35,600. Costs under the contract may increase at an hourly rate of \$160 per hour as approved by the Board Chair and Search Committee.**

Ms. Cohen proposed this new contract be more specific as to timelines and clearer as to the BHA's expectations. Mr. Alperin said he will send the BOC Search Committee a copy of the agreement and any side letters before entering into it.

On a motion by Ms. Cohen and a second by Ms. Katz, **this agenda item was unanimously approved by a roll call taken: Ms. Richardson-aye, Ms. Katz-aye, Ms. Dugan-aye, Ms. Cohen-aye, and Mr. Jacobs-aye.**

18. Other Business.

19. Upcoming Meetings. November 12, 2024, at 4:30PM.

20. Executive Session. Discussion and potential vote to authorize Memorandum of Agreement by and between Brookline Housing Authority and AFSCME Council 93, Local 1358 for revision to existing contract.

Mr. Alperin suggested this agenda item be amended to read the public session will reconvene afterward only for the purpose of adjournment.

On a motion by Ms. Cohen and a second by Ms. Katz, and a roll call taken: **Ms. Katz-aye, Ms. Richardson-aye, Ms. Cohen, Ms. Dugan-aye, and Mr. Jacobs-aye, a vote was taken, and it was unanimously agreed to go into Executive Session at 5:33 pm. only to reconvene for purposes of adjournment: Ms. Katz-aye, Ms. Richardson-aye, Ms. Cohen, Ms. Dugan-aye, and Mr. Jacobs-aye.**

On a motion by Ms. Cohen and a second by Ms. Katz, **a vote was taken to exit the Executive Session at 5:55 p.m. and return to public session was unanimously approved by a roll call taken: Ms. Cohen-aye, Ms. Katz-aye, Ms. Dugan-aye, Mr. Jacobs-aye, and Ms. Richardson-aye.**

21. Brookline Housing Authority Corporation, Inc. Meeting. The meeting was convened at 5:57 p.m.

On a motion from Ms. Cohen and a second by Mr. Jacobs, **a vote to remove Ms. Dugan as Manager of 32 Marion Apartments and appoint the ED, Assistant ED, CFO, and Board Chair as authorized signatories of 32 Marion Street was unanimously approved, approved by a roll call taken: Ms. Cohen-aye, Ms. Katz-aye, Ms. Dugan-aye, Mr. Jacobs-aye, and Ms. Richardson-aye.**

22. Vote to Adjourn.

On a motion by Ms. Cohen and a second by Mr. Jacobs, and a roll call taken: **Ms. Richardson-aye, Ms. Katz-aye, Ms. Cohen-aye, and Mr. Jacobs-aye, it was unanimously agreed to adjourn the meeting at 6:00PM.**

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ATTEST



Lisa M. Brown, Interim Executive Director