

**REGULAR MEETING
PROVINCETOWN HOUSING AUTHORITY
Wednesday August 4, 2004**

A regular meeting of the Provincetown Housing Authority was called to order by Margaret Carroll-Bergman, Chair, on Wednesday August 4, 2004 at 5:20 p.m. in the Maushope Common Room at 44 Harry Kemp Way, Provincetown, Massachusetts.

PRESENT: Margaret Carroll-Bergman, Chair
Teri Nezbeth, Vice-Chair
Arturo Alon, Vice-Treasurer
Nancy Jacobsen, Commissioner
Patrick J. Manning, Executive Director
Lucy Singer Farkas, Recording Secretary

ABSENT: None

AGENDA: Motion by T. Nezbeth to approve agenda as presented, seconded by A. Alon.

**VOTED: Unanimous to approve
agenda as presented.**

WELCOME TO NEW BOARD MEMBER:

M. Carroll-Bergman officially welcomed the new Board Commissioner, Nancy Jacobsen, appointed by Board of Selectmen.

PUBLIC STATEMENTS: None.

ELECTION OF OFFICERS:

Chair: T. Nezbeth placed in nomination the name of Margaret Carroll-Bergman for position of PHA Chair, seconded by A. Alon.

Nomination accepted by M. Carroll-Bergman.

**VOTED: Unanimous to appoint
PHA Chair.**

M. Carroll-Bergman to position of

Vice-Chair: A. Alon placed in nomination the name of T. Nezbeth for position of PHA Vice-Chair, seconded by M. Carroll-Bergman.

Nomination accepted by T. Nezbeth.

**VOTED: Unanimous to appoint
Vice-Chair.**

T. Nezbeth to position of PHA

Treasurer: A. Alon placed in nomination the name of Nancy Jacobsen for position of PHA Treasurer. N. Jacobsen declined the nomination based on her newness on the PHA Board.

M. Carroll-Bergman placed in nomination the name of A. Alon for position of PHA Treasurer, seconded by T. Nezbeth.

Nomination accepted by A. Alon.

**VOTED: Unanimous to appoint
Treasurer.**

A. Alon to position of PHA

Vice-Treasurer: A. Alon placed in nomination the name of N. Jacobsen for position of PHA Vice-Treasurer, seconded by T. Nezbeth.

Nomination accepted by N. Jacobsen.

**VOTED: Unanimous to appoint
Vice-Treasurer.**

N. Jacobsen to position of PHA

APPROVAL OF MINUTES:

Board reviewed Minutes for meeting of July 7, 2004. No corrections noted.

Motion by M. Carroll-Bergman to approve Minutes of May 5, June 2, and July 7, 2004 as presented, seconded by A. Alon.

**VOTED: Unanimous to approve to
June 2, and July 7, 2004 as**

**approve Minutes of May 5,
presented.**

FINANCIAL REPORT:

Board reviewed and discussed the Financial Report for June 2004.

ED advised that he has asked DHCD to assume the outstanding PHA portion of the cost for the atrium project and there is a chance the State will pay the PHA share from the State capitol project reserve.

ED reported that the Authority had to assume a \$600.00 cost for a digital dial-up system for Maushope. Up to now the Police Dept. had maintained an alarm panel for the Town agencies at no cost to the PHA. This panel was removed. Maushope is now on direct line to the alarm company as required.

Motion by A. Alon to approve financial report as presented, seconded by T. Nezbeth.

**VOTED: Unanimous to approve
Financial Report as presented.**

DIRECTOR'S REPORT:

I. DHCD:

A. Atrium Project- -Project has been completed and been signed off. The final payment of app. \$27,000 is being held, pending DHCD review and approval (hopefully) of ED's request for the DHCD to assume PHA cost.

B. State Subsidy Payments—ED continues to push State for 2004 subsidy payments. According to the PHA Accountant the PHA is not alone in this matter; some State LHA's have not received owed subsidies for three years.

II. MAUSHOPE:

A. Hot Water Tank—ED updated new Commissioner Jacobsen on the continuing problems with the hot water system at Maushope. The matter remains under investigation by the company. If inherent system flaws are determined, the Authority will push for an entire new system to be installed at no cost to the Authority. Item to remain on agenda until there is a final resolution.

B. Atrium Construction Up-date—See above.

C. DHCD Unit Inspections: In addition to the annual inspection of all apartments by the Authority, The State will be conducting independent inspections of four units chosen at random (two at Maushope and two Family units.) The tenants involved have all received notices. Pre-inspection of chosen units was conducted today by ED and Jim Turner. All but one was in good condition.

M. Carroll-Bergman asked what does State look for.

ED said inspections are concerned with safety and hygiene. Such things as obstructions to egresses, gas leaks, overuse of electrical outlets, appliances in working order, and related are examined.

One Family Unit was found to be overly cluttered inhibiting egress in case of an emergency. Damage caused by the tenant must be repaired by the tenant, or tenant must reimburse the Authority for repairs if done by the Authority. Repair costs can be added into tenant's rent unless tenant can document serious hardship.

N. Jacobsen asked if repairs are not done will the State hold the PHA responsible.

ED said it depends on repair needed and if tenant can document their inability to do the repair or pay for same.

- C. Census** is 23 of 24. There was a delay in clearing out the handicap unit by the person responsible but the bank handling the estate of the deceased tenant has promised in writing to pay all outstanding rents and late fees as soon as an executor for the estate is appointed.

There are no local applicants on the wait list in need of a wheelchair accessible unit. However there are three current residents who may be potential candidates for wheelchair accessibility in the near future. These individuals are being canvassed to determine their desire to move to the handicap unit.

III. FAMILY HOUSING:

A. DHCD Inspections—Previously discussed as above.

B. Census: 9 of 9.

IV. FOLEY HOUSE

A. Shelter + Care Grant Extension/Renewal--Extension has been approved for five year period.

B. HUD Subsidy Payments--HUD has approved a raise in the Fair Market Rate for FH as of August 1. Rate set at \$504.00 per unit as compared to current rate of \$394.00. Tenants will continue to pay 30% of income towards rent; HUD will pay the difference between payment share and new FMR.

C. Eviction Updates --One of the tenants involved remains bound by the mediation contract approved by the Court; appears to be doing well at this time. The other individual has since moved.

D.Census is 8 of 10. Several applicants are being screened for admission.

V. OTHER:

A. ED Contract –The PHA is eligible to join the Barnstable County

Retirement System as it is considered a municipal entity. To be eligible for retirement benefits ED must work a minimum of 25 hours per week; currently at 20 hours. Board must vote to approve application to join system; will take approximately six months for Barnstable to review and approve.

M. Carroll-Bergman asked if all PHA's employees working 25 hours per week would be eligible to join system.

ED said "yes". Employee would have to pay into system; not sure what the Authority's portion will be.

M. Carroll-Bergman asked if the State would contribute to retirement benefits.

ED said this is not likely. His hourly salary is based on the number of units managed by the Authority. Costs would have to be budgeted into the PHA's Administrative Costs. The Authority is not eligible to join the State Retirement System as not considered a State entity nor is he considered a State employee.

ED has to determine actual dollar costs for himself and for the Authority.

A. Alon asked if all Town employees are part of the Barnstable County system.

ED said "yes", if working required number of hours.

M. Carroll-Bergman expressed concerns about where funds for retirement payments would come from. Possibly a Town meeting vote could designate same; possibly come from AHTF or CPA monies; possibly a shared cost.

ED advised that no administrative expenses are provided for under the CPA.

ED suggested deferring vote until he can determine actual costs and will try to have this information by the September meeting.

B. Health Benefits--Jim Turner and partner are now receiving Family Health Benefits under the PHA policy. Cost will be an additional \$600.00 per Month. Cost to be budgeted into the PHA's FY2005 budget (to begin October 2004.)

C. Barnstable County Retirement Association—Discussed above.

D. Paid Medical Leave for Clerk/Receptionist--L. S. Farkas, PHA Clerk/Receptionist, asked to be recused to allow Board to discuss; she left meeting.

ED advised Board that Clerk will be entering hospital for surgery at end of August and may likely be unable to assume work duties for up to a month. She will be starting her sixth year with the PHA in November 2004. Clerk works 12 hours per week.

Motion by T. Nezbeth to approve paid medical leave for Clerk/Receptionist, seconded by M. Carroll-Bergman.

**VOTED: Unanimous to
for Clerk/Receptionist.**

approve paid medical leave

Following vote, L. Singer Farkas returned to meeting and thanked Board for leave.

approving medical

OLD BUSINESS:

- A. Creek Road**--ED up-dated new Commissioner Jacobsen about the property and inherent drainage problems precluding development. A small adjacent piece of land may become available in the Town tax title process which could make the property feasible for construction. Until so determined matter to remain on the agenda.
- B. Affordable Housing Trust Fund**--no further work has been done re. the Trust.
- C. 44 Harry Kemp Way Development**--no further movement made on possible development at site as building site recommended by engineer would block the fire road. Original site proposed by the Authority may be financially unfeasible for development. Matter to remain on agenda pending further examination.
- D. Tax Title Properties**--ED explained that the Town had approved the PHA request for first right of refusal for any properties taken for back taxes. Because the Town has been aggressively pursuing matter many delinquent taxpayers have paid up. The original listings have been reduced considerably and it is unclear what, if anything, may be left for PHA development.
- E. State Appointee**—The Board has been unable to recruit a State appointed Board Commissioner and the position has been open for almost two years. Upon notification, the State will actively pursue filling the position.

T. Nezbeth asked if position must be filled by a local resident.
ED said must be from the area and will find out if a resident from a contiguous Town would be acceptable.
- F. Cumberland Farms** --Devra Bailin of Cumberland legal department has advised that her company has conducted an independent appraisal of property. Still undetermined if land will be gifted or offered for sale to the Authority. The appraisal was done by the company's Regional Land Division who is to relay their findings back to her. ED will continue with his follow-up.

NEW BUSINESS:

- A. Demonstration at Cumberland Farms**--T. Nezbeth advised that a rally will take place at Cumberland Farms this weekend protesting the Company's practice of denying benefits to same sex spouses. The practice is not illegal because the Company is self insured

Consensus of Board was not to take a position as a Board but that each Commissioner can act independently as they so choose as citizens.

- B. Appointment to Community Preservation Committee**—The CPA will go

into effect on August 23. One committee seat is specifically designated for the PHA.

A. Alon asked the length of the term.

T. Nezbeth said it is three years or less if member leaves the PHA Board prior to end of three years.

T. Nezbeth nominated M. Carroll-Bergman to be the PHA representative, seconded by A. Alon.

M. Carroll-Bergman accepted nomination.

**VOTED: Unanimous to
PHA designate on CPA**

**appoint M. Carroll-Bergman as
Committee.**

She advised that she will impart information to the Board and relay Board input to the CPA Committee.

APPROVAL OF VOUCHERS:

Board reviewed check registry and signed checks presented for signature.

Motion by M. Carroll-Bergman to approve vouchers as presented, seconded by A. Alon.

**VOTED: Unanimous to approve
vouchers as presented.**

The next Regular meeting of the Board was scheduled for Wednesday, September 1, 2004 at 5:15 p.m. in the common room at Maushope. There being no further business a motion to adjourn was made by T. Nezbeth, seconded by A. Alon. Unanimous to adjourn at 6:27 p.m..

Respectfully submitted,

Lucy Singer Farkas
Recording Secretary

OLD BUSINESS:

- A. Creek Road**--Project remains “on hold”.
- B. Affordable Housing Trust Fund**--No work session for month as ED tied up with annual rent reviews and Maushope atrium construction.
- C. 44 Harry Kemp Way**—No new action; item to remain on agenda.
- D. Tax Title Properties**—No further actions; item to remain on agenda pending determination about small piece of land abutting Creek Road property.

- E. State Appointee**--There were some write-in votes for vacant seat at recent election but as less than two votes for each candidate were received did not meet election requirements. The Authority must request a joint meeting with the Board of Selectmen within 30 days or Board of Selectmen can name an appointee.

T. Nezbeth asked if a member of the ASG Board could serve on the PHA Board.
ED said individual could have no personal connections to any Foley House clients and would have to be recused from vote on Foley House matters.

M. Carroll-Bergman suggested a real estate person who was pro-active in the passage of the CPA. Asked ED to write invitational letter to that group.
- F. Cumberland Farms**--No further communication from Devra Bailin since the joint meeting last week. Ed will follow-up and push for a decision from Cumberland re.donation of the land to the Authority.
- E. Bookkeeper Services**—ED advised Board that he has negotiated with Steve Roderick for bookkeeping services; the Authority will be billed at a special monthly rate. Concurrently the current bookkeeper has advised ED that he will be resigning his position as he plans to move from the area. He has met with the new Bookkeeper re. check vouchers and procedures. S. Roderick will likely be attending the June Board meeting to meet Commissioners and answer any questions re. his services.

NEW BUSINESS:

- A. Election of PHA Officers**--Generally Board votes on officers following Town election of Commissioners but Board agreed to defer same pending a full Board contingent.

APPROVAL OF VOUCHERS:

Board reviewed check registry and checks presented for signature.

Motion by T. Nezbeth to approve vouchers as presented, seconded by A. Alon.

**VOTED: Unanimous to approve
vouchers as presented.**

The next Regular Meeting of the Board was set for Wednesday, June 2, 2004 at 5:15 p.m. in the Common Room at Maushope. There being no further business a motion to adjourn was made and seconded. Unanimous to adjourn at 6:00 p.m..

Respectfully submitted,

Lucy Singer Farkas
Recording Secretary

