

**REGULAR MEETING
PROVINCETOWN HOUSING AUTHORITY
Wednesday, March 29, 2006**

A regular meeting of the Provincetown Housing Authority was called to order by Margaret Carroll-Bergman, Chair, on Wednesday, March 29, 2006 at 5:18 p.m. in the Maushope Common Room at 44 Harry Kemp Way, Provincetown, Massachusetts.

PRESENT: Margaret Carroll-Bergman, Chair
Nancy Jacobsen, Vice Chair
Arturo Alon, Treasurer
George W. Bryant, Commissioner (arrived 5:52 p.m.)
Patrick J. Manning, Executive Director
Lucy Singer Farkas, Recording Secretary

Local Housing Partnership:
Tim Hazel
David Dixie Federico
Cynthia Bowes

Town of Provincetown
Paul Gavin, Town Tax Assessor
Alexandra Heilala, Office of Assessor
Doug Taylor, Dept. of Commercial Development

Public Attendees:
Ted Malone, Community Housing Resources, Inc.
Pam Parmakian, CHR, Inc.

ABSENT: None

APPROVAL OF AGENDA:

Motion by A. Alon to conduct joint business with the LHP and Town representatives as first order of business, seconded by N. Jacobsen.

**VOTED: Unanimous to approve
agenda with change as noted.**

TOWN REQUEST FOR FUNDS FROM AHTF:

M. Carroll-Bergman advised Board that the Town is requesting funds of \$51,000.00 from the AHTF to help balance the Town budget.

D. Taylor said that this will be a one-time request as the Town should be able to absorb deficits in future Town budgets. The effort here is not to have to do away with Town tax abatements for private low-income housing in order to cover general expenditures of Town thus encouraging affordable rental units in the private sector. Currently 51 units receive abatements. He stated, too, his opinion that Town has done what it can to reduce expenditures. All Town departments have made cuts, or are at level funding; there have been fee increases in many areas; there is a hiring moratorium in effect. Feels the Town request for AHTF monies, although those funds will go into general fund is directly related to affordable housing issues as it would "save" the tax exemption program.

In response to a question as to monitoring these low-income units, Mr. Taylor said not currently done on a formal basis but that this will be one of the duties of the Affordable Housing Consultant, if and when hired.

D. Federico asked if the Town had ever previously requested AHFT monies to cover general deficits.

P. Gavin said “no”; only the second year of Program’s existence.

A. Heilala reiterated that this is a one-time request as the 2007 tax rate will increase to cover the exemption program.

T. Hazel asked if the Town has other options if their request is refused.

A. Heilala said “no” but feels this will be a one-time measure.

M. Carroll-Bergman stated her opinion that Fund monies have been appropriately spent to date and that Town Selectmen have been supported of the program from the start and that their current request is appropriate.

D. Federico stated that he was very reluctant to expend a large portion of the Fund for an over-all Town problem. Asked if the money will be returned to the Trust and would like some guarantee to that effect.

A. Heilala said if there is an overlay surplus Town Meeting can vote to repay the Fund but that there is no guarantee that this will happen.

D. Federico asked if down the line the Fund needs extra money for a project will the Town come across with same.

P. Gavin said Finance Committee will likely be in favor but would still require a vote at Town Meeting.

P. Parmakian asked what the Town has budgeted for the exemption program.

A. Heilala said \$31,000.00 budgeted to cover exemptions and abatements.

P. Parmakian said if that is the case, why not ask the Trust Fund for only \$20,000.00 to make up difference.

P. Gavin said to be used for other purposes; more give-away programs. But bottom line is that Town is in trouble and needs requested monies to make up the deficit.

T. Hazel remarked that the Town is in financial trouble for a number of reasons. Feels it is wrong to take Trust Fund monies to abate “someone’s mansion.” Not at all comfortable that the Town request is a reasonable way to do it.

P. Gavin said by State law the tax levy must be no higher this year than 25% of previous year. Only way to increase funds is via an over-ride by Town Meeting; service cuts; creating other revenue producing venues.

T. Malone said next year may be in a better financial position as Manor issue may be resolved.

P. Gavin said that the full amount for residual costs to the Town related to the Manor will not be known until 2008.

A. Heilala said Town must bear the closing costs for Manor and contribute to retirement for Manor staff next year.

ED asked about the tax exemption program; must be on Town Warrant in order to rescind?

P. Gavin said matter is not on the Town warrant this year and is not being considered.

ED commented on the connection between the creation of the AHTF and “preserving affordable housing”. How can the Program be preserved if it is not in jeopardy.

T. Hazel stated that in his opinion the exemption program is not at risk.

P. Gavin asked if Fund Trustees would be amenable to awarding Town a portion of Town’s request if not the full amount asked.

D. Federico said he was not amenable to any Fund monies being given to Town.

P. Gavin warned that unless an over-ride is approved the Town is looking at serious cuts in services and staff.

D. Taylor, agreeing with M. Carroll-Bergman, said that Town has been more than helpful to the LHP and the PHA; has shared information to get the Trust Fund rolling and will be providing Town office space to the Housing Consultant at no cost.

M. Carroll-Bergman said she sees it as one pot of money; tax payer funds for tax payer use.

Both D. Federico and T. Hazel reiterated their position that they see no relationship between affordable housing monies and the Town deficit. Feels that by expending monies otherwise will hurt the people the Fund is set up to help. The Trust Fund is not about covering the Town shortfalls.

P. Gavin said the Town is looking for help. Provincetown is the only Town on Cape that has levies for both the CPA and the Land Bank. Reiterates his belief that Town Meeting would approve pay-back to Trust Fund in future but, again, cannot guarantee same..

G. Bryant stated that the cost of government in Provincetown is the highest per capita of any town on the Cape. Sees a lot of spending without real results.

N. Jacobsen said her initial response was not to refuse the Town request but after listening to arguments presented feels otherwise.

Motion by D. Federico for the LHP to recommend to the Housing Authority to decline the Town's request for AHTF monies of \$51,000.00, seconded by C. Bowes.

**VOTED (by LHP members): Unanimous
to recommend that the PHA vote against
the Town request for Trust Fund monies.**

Motion by A. Alon to not approve the Town request for monies from the AHTF, seconded by N. Jacobsen.

**VOTED: (by PHA Board): Two (2) to not
approve Town request for monies from
the AHTF; One (1) opposed; One (1)
abstention.**

G. Bryant asked who is now responsible for checking up on tax-exempt properties relative to income verification, lease, rent, and minimum safety and sanitary standards.

A. Alon said it was up to the landlord to supply tenant income certification. The Town Assessor is supposedly monitoring the 51 current tax-exempt properties. However this will become the responsibility of the Affordable Housing Consultant once that position is filled. Inspections of units are being done by Town Health Dept. but will be done under the jurisdiction of the Affordable Housing Specialist.

N. Jacobsen said salary for the Housing Consultant will have to be approved next year by the AHTF in order to maintain that position.

A. Alon said the hope is to eventually get funds for position from Town general budget.

PUBLIC STATEMENTS: None

APPROVAL OF MINUTES:

N. Jacobsen noted that the correct date for the meeting with the CPC was Feb. 28, 2006.

Motion by A. Alon to approve minutes with date correction as noted, seconded by G. Bryant.

**VOTED: Unanimous to approve
Minutes of Regular Meeting of**

Feb. 22, 2006 with correction as

noted.

FINANCIAL REPORT:

Motion by A. Alon to approve the Financial report for February 2006 as presented, seconded by N. Jacobsen.

**VOTED: Unanimous to approve
FR for February 2006 as presented**

DIRECTOR'S REPORT:

I. DHCD:

Nothing from DHCD.

II. Maushope:

A. Census is 24 of 24.

B. Smoke Vents: On Long Point Electric wait list relative to possible roof fan timer.

III. Family Housing:

A. DHCD Inspection:

Inspection complete and tenant has cleaned up property. Item to be removed from agenda.

B. Tenant Complaint Up-date:

Family has requested a grievance hearing prior to Court process and ED has recruited three persons for the Grievance Committee.

G. Bryant asked what happens if the Committee finds in favor of tenant.

ED said the Authority will have no standing to bring to Court, as per DHCD ruling. However, feels there is compelling evidence of unauthorized tenants living in unit.

G. Bryant asked how the Grievance Committee is chosen.

ED said must be members of community but no specific other requirements called for. He recruits prospective candidates.

C. Septic Failure:

Billy Rogers is pulling together material relative to septic repairs. Feels Board of Health will approve the variance. If they do not, the Town has indicated it will allow Authority to set-up escrow account for eventual hook-up into sewer system, and allow repairs to current

D. Census is 8 of 9.

IV. FOLEY HOUSE:

A. Eviction Up-date:

Resident has received a Sect. 8 voucher and given more time to find a unit with that certificate. There have been no new incidents of misconduct in one year.

B. Census is 8 of 10. One applicant has a bad prior record with Boston HA and left owing money. Before accepted at FH that matter must be resolved.

C. Refinancing of FH mortgage: CVAC, one of the funding sources for FH, has advised that State is offering renegotiation of loan at 0% interest if PHA Board votes to approve same. Currently FH is financed at 5% interest on a 40 year forgivable loan.

M. Carroll-Bergman asked if there were any fees.

ED said "no". The loan will be forgiven, as now, according to

CVAC.

A. Alon said that in effect the loan will be paid off sooner as all payments will be going towards principal.

Motion by A. Alon to approve 0% refinancing for Foley House, seconded by N. Jacobsen.

**VOTED: Unanimous to approve
refinancing.**

G. Bryant asked some questions about requirements for admission into FH.

ED said must be homeless, HIV positive, single, and meet income guidelines.

G. Bryant asked if applicants who meet those criteria can be refused.

ED said "yes" if medical report indicates applicant cannot live independently or if criminal history check and/or references are bad.

V. OTHER:

A. Barnstable County Retirement System:

ED advised Board that State Atty. General never received PHA application for membership. Also, paperwork must be filed as well with the Barnstable County System.

Motion by A. Alon to join the Barnstable County Retirement System, seconded by N. Jacobsen.

**VOTED: Unanimous for PHA to
join Barnstable County**

Retirement System.

ED to submit/resubmit all necessary paperwork

B. Division of Occupational Safety:

As per DOS directive salaries for maintenance personnel to increase April 1st. J. Turner to receive increase to \$18.87 per hour; currently at a rate of \$17.98 per hour. Board must vote to approve increase.

Motion by G. Bryant to approve pay increase for J. Turner to \$18.87 per hour, effective April 1, 2006, as per DOS guidelines, seconded by M. Carroll-Bergman.

**VOTED: Unanimous to approve
pay increase for J. Turner as per
DOS guidelines, effective**

April 1, 2006.

OLD BUSINESS:

A. Creek Road: Status quo.

B. Affordable Housing Trust Fund: Discussed earlier in relation to Town request for Trust Fund monies.

M. Carroll-Bergman iterated her concern that the Board vote on matter could not go forward as was not unanimous.

ED said "no"; majority ruled.

C. Tax Title Property: Status quo.

D. State Appointee: N. Jacobsen advised that State has received and reviewed her application and is now moving into investigation. She has submitted

information to State as requested.

In the interim she has taken out the necessary papers to be placed on the Town ballot for local PHA Commissioner.

E. Cumberland Farms Land:

Motion by M. Carroll-Bergman to support the Community Preservation Committee request for funding for the Cumberland Farm properties for development of affordable housing, seconded by G. Bryant.

**VOTED: Unanimous to support
the request of the CPC for funding**

**for the development of the
property for**

affordable housing.

Cumberland Farm

ED said the PHA should be prepared to present their support at Town Meeting.

A. Alon agreed to speak in favor of same on behalf of the Authority.

Cumberland has asked for a meeting with the Authority and the Town to further Discuss property. Their independent soil tests indicate that capping is acceptable and that the cost can be incorporated into development of the property. An underground concrete slab put in for parking would suffice for the capping. The DEP must accept capping as acceptable remediation but it is believed they will do so.

M. Carroll-Bergman says the asking price for property remains at \$1,000,000.00 but that Cumberland does expect counter offers from the Town.

G. Bryant asked who will make the decision.

ED said the Town Administrator in conjunction with Town Counsel. No final decision has yet to be made as the DEP must first render its decision.

ED iterated that the process is still unclear. The MHP is to come up with several Plans, The PHA will provide input to the MHP who will determine the best way to fund , determine number of units and the percent of income mix.

G. Bryant said the development may allow former area residents to return to the Town.

ED said that will depend on the rulers of the funding sources. Will be addressed in An RFD which can be “fine-tuned” for local residents.

F. 951R Commercial Street:

M. Carroll-Bergman suggested using 951R Commercial as “collateral” for development of Cumberland property. Another option would be combining the two sites for development purposes. The Town had the option to sell the property but instead elected to donate it to the PHA for the purposes of developing affordable housing. Feels it should not be sold by the PHA despite difficulty in developing.

N. Jacobsen said in her meetings with the CPC they are in favor of selling the property and not include same in the Cumberland mix. She said that she will speak up at their next meeting to refute that attitude.

G. Community Preservation Committee:

Nothing further in this regard. Reiterated that A. Alon will present the PHA

support for the CPC request at Town Meeting.

NEW BUSINESS: None.

APPROVAL OF VOUCHERS:

Motion by A. Alon to approve vouchers as presented, seconded by
N. Jacobsen.

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

The next Regular Meeting of the Board was scheduled for Wednesday, April 26, 2006 at 5:15 p.m. in the Common Room at Maushope, 44 Harry Kemp Way, Provincetown. There being no further business a motion to adjourn was made. Meeting adjourned at 7:22 p.m..

Respectfully submitted,

Lucy Singer Farkas
Recording Secretary