

**REGULAR MEETING  
PROVINCETOWN HOUSING AUTHORITY  
Wednesday, January 8, 2003**

A regular meeting of the Provincetown Housing Authority was called to order by Margaret Carroll-Bergman, Vice Chair, on Wednesday, January 8, 2003 at 5:20 p.m. in the Maushope Common Room at 44 Harry Kemp Way, Provincetown, Massachusetts.

**PRESENT:** Margaret Carroll-Bergman, Vice Chair  
Michael Bunn, Treasurer  
Brenda Haywood, Vice Treasurer  
Robert Cabral, Commissioner  
Patrick J. Manning, Executive Director  
Lucy Singer Farkas, Recording Secretary  
Arturo Alon, Chair, Local Housing Partnership  
Cynthia Bowes, Local Housing Partnership  
Scott Campbell, Local Housing Partnership

**ABSENT:** Andrew Barasda, Chair

**AGENDA:** Motion by M. Bunn to approve agenda as presented, seconded by R. Cabral.

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

**AFFORDABLE HOUSING TRUST FUND:**

M. Bunn recused self from meeting during discussion of this item.

Members of the PHA Board and the LHP jointly discussed the recently enacted Affordable Housing Trust Fund (House Bill #4145). The Bill provides Trust expenditures to be authorized by the PHA in consultation with the LHP. Both Boards are responsible for establishing guidelines and procedures.

All agreed that input from the Town Counsel is needed but that the Boards should begin to hammer out the necessary protocols. Currently 10% of Land Bank Funds go into the Trust, with the possibility of that amount being increased to 35%. Mark LaTour, the Town Housing Specialist, is partially salaried from Trust Fund monies.

A. Alon asked if Mark is following any formal procedures relative to the Trust.

ED indicated “no”; procedures have to be set up by the PHA and the LHP, with likely input from M. LaTour.

A. Alon suggested obtaining a copy of Mark’s job description to be used in procedure planning. He advised that the LHP Board is meeting Jan. 17<sup>th</sup> and will disseminate information on the Trust to his entire Board prior thereto. Suggested that the PHA Board, LaTour, and others who will likely be involved with the Trust attend that meeting.

ED suggested using the internet to garner information on active Housing Trust programs in other communities.

M. Carroll-Bergman said that Town Counsel may, too, have concrete information that would be helpful.

ED advised that there is presently app. \$100,000.00 in the Fund. Additional monies may likely come from the Town sale of tax title foreclosures and from a proposed 2% real estate transfer tax. The Boards should act as quickly as possible in getting the Trust up and running.

All agreed it would be desirable to have things in place before the summer.

R. Cabral asked if the PHA could tap into DHCD legal expertise.

ED advised that the Fund is not within the DHCD realm, but that he will check with DHCD because the Authority is charged with the oversight of the Trust Fund and DHCD oversees the Authority. Regulations and guidelines for the Trust should be set up so as to avoid legal challenges; as much input from all sources is needed.

A. Alon suggested that LaTour could logically act as executive of the Trust to screen applicants and make recommendations to the PHA and the LHP. Boards should be advisory and have the final approval of all disbursements.

A number of other considerations were expressed (ie. creation of budget; type of projects to be funded; proposal review; if Trust monies were to be “last resort”, etc.)

S. Campbell asked who has the final say so as to how funds are spent.

ED said the PHA Board does, but in consultation with the LHP; no Town Meeting vote is required.

A. Alon advised that Trust monies are being held in a special fund and not in the Town’s general fund.

R. Cabral expressed concerns that the Trust funds do indeed go for Trust purposes and not, by some re-interpretation by the Town, be diverted for other purposes.

B. Haywood said the Trust legislation is very specific that Trust Fund monies remain separate and apart from Town general funds but that the Town Treasurer has the authority to invest such funds.

ED reiterated that the Town cannot make any expenditure from the Fund without PHA approval.

A. Alon said that he would personally invite Mark Latour to the LHP meeting and asked all Board members to bring with them as much information as possible.

It was noted positively that both the PHA and the LHP Boards seem to be “like minded” which will facilitate planning for the Trust. The PHA Board thanked LHP members for attending the meeting.

M. Bunn returned to Board meeting.

**PUBLIC STATEMENTS:** None.

**APPROVAL OF MINUTES:**

**A. Regular Board Meeting, December 4, 2002**

L. Farkas pointed out that that vote on the FY2003 budget should correctly read that the Board passed with “the changes as approved by the Board.”

Motion by M. Carroll-Bergman to approve minutes of Regular PHA Board meeting of December 4, 2002 with correction, seconded by B. Haywood.

**VOTED: Unanimous to approve  
Minutes of December 4, 2002**

**with correction as noted.**

**B. Emergency Meeting of December 20, 2002**

M. Carroll-Bergman noted that she had asked if the DHCD had taken into account the PHA’s rationale for initially passing on State Surplus Lands and that it was the ED who stated that DCHD feels the rationale is irrelevant.

Motion by B. Haywood to approve minutes of December 20, 2002 with above correction, seconded by M. Bunn.

**VOTED: Unanimous to approve  
with correction.**

**Minutes of December 20, 2002**

## **FINANCIAL REPORT:**

### **A. November 2002 Report**

Motion by M. Bunn to accept as presented, seconded by R. Cabral.

**VOTED: Unanimous to approve**

**November 2002 Financial Report.**

### **B. FY2003 Budget**

ED disseminated financial report from Accountant reflecting those changes Board had requested.

Motion by B. Haywood to accept the FY2003 Budget with changes reflected, seconded by M. Bunn.

**VOTED: Unanimous to  
approve FY2003 Budget.**

ED will submit to the State.

## **DIRECTOR'S REPORT:**

### **I. DHCD:**

- A. Atrium Windows-** - M. Bunn reported that John Gannon of DHCD responded very quickly to Michael's letter and promises to "get right on it." M. Bunn said he will continue to press State for a solution.
  
- B. Budgets--**State has finally sent formal approval of the FY2001 budget revisions and has approved the FY2002 budget but cannot find the Board's signature page for FY2002. ED to send State another.

### **II. MAUSHOPE:**

- A. Elevator--**Contract with ThyssenKrupp to be finalized. In interim ED is disputing the most recent bill from Associated for June-July services for \$1200.00.
  
- B. Census** is 23 of 24. One Elderly tenant moved end of December and applicants for the vacated apartment are being canvassed. This is the one handicapped accessible unit at Maushope.

M. Bunn asked if this unit was "locked in" for an Elderly tenant, ED said he will clarify with the State but believes it can not be used for disabled individuals under age 60 as well. Currently, Maushope's four under-age 60 units are filled.

### **III. FAMILY HOUSING:**

- A. Census** is 9 of 9.

### **IV. FOLEY HOUSE:**

- A. HUD Subsidy Payment--**ED has requested but not yet received a formal written demurral from Jim O'Neill re. subsidy increase for Foley House. O'Neill has to date remained adamant in his stand that no rate increase is permissible.

M. Bunn asked the Board to allow him to follow-up on this matter with HUD. He will examine the FH contract and continue to challenge O'Neill's decision.

B. **Census** is 10 of 10.

**V. OTHER:**

A. **Bank Signature Cards**--CCB & T has requested additional Board signatures. Cards duly signed.

B. **Andrew Barasda**—ED to check with DHCD regarding A. Barasda's recent legal problem. To date Andrew has not submitted his resignation from the Board, although ED anticipates this is likely. DHCD is aware of the situation.

M. Carroll-Bergman asked the Board to give thought to a replacement for Andrew.

**OLD BUSINESS:**

A. **Creek Road**--Development of site remains on "back burner."

B. **Affordable Housing Trust Fund**--Previously discussed.

C. **44 Harry Kemp Way**--ED has signed and returned contracts to MHP for further study of property. MHP has arranged with Coastal Engineers to continue their original study; those documents will be shared with the PHA by MHP.

M. Bunn asked why the MHP is using Coastal Engineers and suggested other firms which could be hired.

ED advised that MHP has used Coastal in the past but that this is not set in stone; MHP may be open to other suggestions.

D. **Tax Title Properties**--To be kept on agenda. ED will secure most current listings.

E. **State Surplus Lands**--Board reviewed letter from DHCD Division of Capital Asset Management. DCAM has requested a waiver of the normal time period for the transfer of to the F&W. This matter is scheduled for the Town Board of Selectmen's Meeting on January 13. ED suggested that PHA Board attend said meeting to voice disapproval of the DCAM request.

R. Cabral commented that in previous discussions by the PHA Board not all the Board members were in agreement with a PHA re-bid for State lands. Pointed out that the letter from DCAM said that it will be difficult but not impossible to cede certain of the State parcels to the Authority. Feels that the Authority will never again have such an opportunity to acquire such lands. Having the land could, further, be a "bargaining chip" to swap those State parcels for other Town lands.

M. Carroll-Bergman stated that she was not in favor of pursuing the Land without a full Board commitment and without further information from DHCD and from the Board of Selectmen.

R. Cabral suggested that the PHA Board present a very strong protest to the Selectmen about any reduction in the time period for ceding the State lands to F & W, and also apprise the Selectmen that the PHA intends to re-open their bid for some of the State parcels.

B. Haywood stated that not all of the State parcels identified previously by the Authority have development potential but that some of the sites could definitely be used for affordable housing purposes. Feels disgruntled that the Board's actions to date have not lead to any tangible development of housing. She asked ED about position of the State.

ED advised that Board must deal with DCAM if they decide to follow through with a re-bid for the State parcels. DHCD is not now involved in the process and will not act as an intermediary in the matter; DHCD provided the initial consultation to the Authority re. which State parcels were viable for development.

M. Carroll-Bergman asked if ED had any sense of how the matter would go if the Board were to pursue re-opening the request.

ED said "no" but DHCD obviously supports moves towards affordable housing development. DCAM will be making the decision as to whether or not the PHA will be permitted to further pursue the matter. The process has already been compromised by F&W's late bid and this may be a factor that works in favor of PHA's re-bid.

ED asked if any information had been obtained from the Selectmen.

M. Carroll-Bergman said "not yet"; feels that in any event the PHA Board has an obligation to pursue the lands via all proper political channels.

M. Bunn commented on his previous E-mail to the Board in which he had expressed the inadvisability of re-opening PHA's bid for the lands. Says he has since changed his stance but is not overly optimistic about a successful outcome due to the efforts of a very powerful block of residents who remain resistive to the development of the lands.

R. Cabral said "we may get kicked in the butt" but should, nonetheless, make the effort.

M. Bunn asked ED about the DCAM process if Board elects to proceed; likely Board will need the support of State legislators.

ED agreed; said process involves dealing with the State and DCAM, specifically; no Town Meeting approval needed. Says the process may be protracted but feels the Authority does have a mission to creating affordable housing.

M. Carroll-Bergman suggested that the Board formulate a plan of approach for the Selectmen's Meeting on the 13<sup>th</sup>.

Motion by M. Carroll-Bergman to formally write the Provincetown Board of Selectmen stating the PHA's opposition to any waiver of the 120 day waiting period as requested by F&W, seconded by R. Cabral.

Motion by M. Carroll-Bergman that the PHA send formal letters to State Legislators O'Leary and Gomes re. the PHA's interest in acquiring State surplus lands for affordable housing

and to request a meeting with both Legislators as soon as possible to further discuss the matter, seconded by B. Haywood.

**VOTED: Unanimous to both motions.**

Motion by M. Bunn to formally advise DCAM in writing of the PHA's renewed interest in bidding on State Surplus Lands, seconded by R. Cabral.

**VOTED: Unanimous to formally so notify DCAM.**

**NEW BUSINESS:** None.

**APPROVAL OF VOUCHERS:**

Board reviewed check vouchers and checks presented for signature. ED advised that increased insurance costs have led to higher costs in that area.

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

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

**ADJOURNMENT:**

Board scheduled the next Regular Meeting of the Board for Wednesday, February 5, 2003 at 5:15 p.m. in the common room at Maushope. There being no further business a motion to adjourn was made by M. Bunn, seconded by B. Haywood. Unanimous to adjourn at 7:30 p.m...

Respectfully submitted,

Lucy Singer Farkas  
Recording Secretary











