

Draft- Subject to Board Approval

COMMISSIONERS' MEETING, JUNE 19, 2013

The Commissioners of the East Hartford Housing Authority held its regular meeting on Wednesday, June 19, 2013 at the Authority's central office building located at 546 Burnside Avenue, East Hartford, Connecticut. The meeting was called to order by Chairman Robert Keating at 5:06 p.m.

1. **ROLL CALL:** Vice Chairman Prescille Yamamoto
Commissioner James W. Patterson, Jr.
Commissioner Hazelann Cook
Chairman Robert Keating

Also present were: Debra Bouchard, Executive Director, Joseph Regan, Finance Director, Ralph Alexander, EHHA Legal Counsel and Linda Russo, Town Council Liaison.

Absent: Commissioner John Carella, Ester Clark, Town Council Liaison

2. **Approval of Regular Meeting Minutes, May 15, 2013**

The motion was made by Commissioner Cook to approve the minutes of the Regular Meeting of April 17, 2013 as presented. Commissioner Patterson seconded the motion and it was carried by the unanimous vote of the Commissioners.

3. **REQUEST FOR ADDITIONAL AGENDA ITEMS**

Commissioner Vice Chairman Prescille Yamamoto made a motion to add under new business section 8 of the agenda item D. The discussion of creating a Personnel sub-committee and E. A tenant relations subcommittee. The motion was seconded by Commissioner James Patterson and the motion carried.

4. **PUBLIC COMMENT**

There was no one present from the public to comment.

5. **FINANCE REPORTS**

a. Payment Vouchers, April, 2013

Commissioner Cook asked about Anthem Blue Cross/Blue Shield listed on 5/1/13. It's only \$40,000 dollars listed, why is this amount so low? Doesn't everyone have Anthem? Mr. Regan explained that this is for retirees' medical coverage. The payment vouchers show that this was paid twice; once in May and once in June 2013. Chairman Robert Keating asked about the payment regarding Manchester Moving and Storage. Ms. Bouchard explained that it could have been either an eviction or to transfer a tenant due to 504 compliance.

Commissioner Cook asked about check number # 114749 for The Hartford Annuity. Why does the payment voucher documentation list two checks underneath the Hartford Annuity for the same amount? Mr. Regan explained this is for Deferred Comp and this is paid on a weekly basis. Commissioner Cook stated that there are a lot of payments shown and Ms. Bouchard explained this could be due to the employee catching up on her work. Ms. Bouchard stated that she would look into this matter and report back to the Commissioners. Commissioner Yamamoto said that the minutes have consistently shown that someone would get back to them and that this does not occur.

Mr. Keating asked what the C & H payment in the amount of \$6,700 was for. Mr. Regan explained that this payment was made for snow removal from the storm using backhoes and bobcats. The reason why the payment is listed in May of this year is because C & H did not previously send the bill to the housing authority. Mr. Keating asked about check number # 21698 TD Bank \$400,000. Mr. Regan explained that this is a money transfer from Webster bank to open up a new account at TD bank in May 2013.

b. Aged Commitments – AP, April, 2013

Commissioner Yamamoto asked about the credit that is listed in Aged Commitments. Ms. Bouchard explained that Accounts Payable person puts those in the system so if she gets another invoice from that particular vendor that it will go ahead and deduct that that money off the next invoice. In addition, it is a reminder to her that if she doesn't get something within a certain amount of time that she will go and ask for the credit.

c. Aged Receivables, April, 2013

Commissioner Cook stated that under AMP 100 we are owed \$20,000 but under the repayment agreement, it shows that we only have \$1,548.76 owed. Why wouldn't we have people who are over 90 days more in that repayment agreement? Can't we get people who are plus 90 days into a repayment agreement and why wouldn't they be in one? Ms. Bouchard explained that we just started that process. As we are doing annual recertification's, we will show tenants their outstanding account balances to execute a repayment agreement, not for rent but for the other monies owed. Commissioner Cook said if we have \$57,000 outstanding, can't we contact these tenants sooner and lock them into a repayment plan as some of these recerts may not come up for nine months? Is it possible to lock them in sooner? Commissioner Patterson commented that this process had to go through housing court. Ms. Bouchard explained that this is two different things. What has to go through housing court is if tenants do not pay their rent. We could do repayment agreements for maintenance charges, late fees, etc.

Commissioner Patterson asked, "How does housing generally handle non-payment of rent?" It was explained by Attorney Alexander that this is covered under our rent collection policy. When tenants go to court, if they are going to get the benefit of a stipulation, they have to come with a certain amount of money including counsel fees and usually ½ of what they owe and then they pay on the rest. We are in 120 days maximum repayment cycle. Commissioner Patterson commented that this is similar to rent arrearage. Attorney Alexander explained that non-payment of rent is rent arrearage and does not involve maintenance charges. Mr. Alexander continued to explain that sometimes the court will make a reasonable accommodation for an individual who has a disability that may be related to their ability to pay their rent within that time frame, the court will overrule the policy and will grant them a longer repayment period (eight months to a year). The tenant will continue to pay their current use and occupancy, which is rent, that doesn't change until they get back into good standing and they are paying on the arrearage every month. Some tenants don't have a good ability to handle their payments and if they don't pay it, then we issue and execution and sometimes we don't get it, but most of the time we do.

Commissioner Patterson asked, "Does the maintenance charge become part of rent as time goes by?" Attorney Alexander responded that the housing court is very specific about keeping rent separate because first of all, they don't have jurisdiction over anything in the summary process except the ability of the tenant to be there as a resident. Those issues are all covered by what kind of action you bring

which your "Notice to Quit" says. If your "Notice to Quit" is for back payment of maintenance charges, they will handle that just the way they handle somebody that has a dirty unit. They are not inclined to give you a whole lot of enforcement on that. So, you go with the payment of rent because that's the one where they are strict. So, you lock in your pleadings on that because if you try get out in broad pleadings, Legal Aid starts to get you wrapped up into interrogatories and you may end up going by nine months to a year or a year and a half before you get the thing resolved. Whereas if you go for non-payment, you can usually get everything together within ninety days or sometimes even quicker. This is why we have designed it over the years because we realized that when you go into housing court over these extraneous issues, this can cause a long-drawn out litigation. For example, we have some people who have very dirty units, people that are hoarders. We have one person who we have been dealing with for 15 years that you can barely walk through their unit. So, you put the tenant on a long stipulation and you bring them back every six months and the Judge says, "I will give them six more months" and you have something that is essentially not enforceable until the local health office or someone from the town comes in and they say we are afraid and we are going to give you some dumpsters and we end up having people from outside agencies that will help the tenant.

Ms. Bouchard stated that she was talking to an executive director a couple of weeks ago about aged receivables and explain to him that when the money comes in to the authority, we automatically apply it to rent first and he says he doesn't do that. He applies it to their outstanding balance before he applies it to rent. Attorney Alexander explained that if he can get away with it, fine. However, we are constantly opposed by Legal Aid or the Fair Housing Coalition out of Middletown which is even worse because all they love to do is go after you for 988 counsel fees. Per tendering rent, it's got to be paid for the rent that you're looking to evict them for, and if it is an arrearage, it's got to be an authorized arrearage. You are neither expanding nor contracting it, it's very closely defined. It's a statutory cause of action and the courts interpret them very specifically against the plaintiff and that's us.

d. Rent Collection Report, April, 2013

Ms. Bouchard asked Commissioner Cook if she liked the report better and Commissioner Cook stated yes. She stated that the report was excellent and she liked the way that Ms. Bouchard listed the late charges. There was a further discussion on repayment policies.

e. Monthly Actuals for Period Ending April 30, 2013

Chairman Keating asked if there are any questions regarding the consolidating operating statements. Commissioner Cook stated that looking back today from 9 months ago it's hard to say what months are higher than others on the budget. Is there a way we could record it quarterly? My budgets are all done when we do our financials. I can do "to date" but I also have for the quarter so I see right away where I have a problem. Commissioner Cook went on to say to Mr. Regan that he is an accountant and he is used to doing things a certain way, but she can't look at this and say it makes any sense because it is all together, it's all lumped sum and it's to date so I don't know if we are spending more in the summer, winter, fall or spring. If I showed you our financial statement maybe you would understand where I am coming from. But they are so easy to read because it shows me quarterly how much I am spending and it also has year-to-date. Here it just gives a lump sum across the board and it is so hard to understand how much we are spending a quarter, where we can watch out and where we would have to cut back. Commissioner Cook stated she would bring it in to show it to Mr. Regan.

6. CONSENT AGENDA

A motion was made by Commissioner Yamamoto to approve the consent agenda and it was seconded by Commissioner Patterson and the motion carried. Commissioner Yamamoto mentioned that Andre was not at the meeting and Ms. Bouchard explained that he has a family member that is ill but Andre didn't have any new business to discuss. Commissioner Yamamoto asked about Rochambeau and Meadow Hill and some other complexes. The document says, "This property will be surveyed for potential concrete strip pads and sidewalks and patio areas will either be replaced or edge grinding due to comments may be rehab inspections" and then today "no change in status" is listed. Are we going out to inspect them to make improvements or to check them out? Ms. Bouchard explained part of this is due to Capital Funds planning for CFP 2013 and some of the money we do have in Capital Funds to do repairs like at Hutt Heights where we did some concrete work and at Meadow Hill we did some stump grinding. Commissioner Cook then asked if this work will be done in the spring or the fall because of trip hazards and worried about the residents. If they fall it will cost us more in insurances costs, so do we go out and do temporary repairs until the work can be done? Ms. Bouchard explained that we inspect the properties. Grinding and shaving was done at Rochambeau in the backside of the Community room and at Meadow Hill we grounded down the tree in the back parking lot and smoothed it out. Commissioner

Cook then asked if we hire someone to do the work and Ms. Bouchard explained that they put it out to bid. Ms. Bouchard commented that one thing that stands out in Andre's report is the Meadow Hill generator. We had to have Kingsley Power Systems put in a temporary generator as we are getting the design specs on a new generator for this complex. Commissioner Cook stated that at the Highlands that we signed a contract with low-bidder after written solutions for asbestos and abatement. Is this in regards to an apartment? Ms. Bouchard explained that a tenant tried to remove their carpet and the tacking at the edge of the entry way cracked part of the asbestos tile. We then had an inspector who conducted an air quality test which came back clean. We transferred the tenant to another unit that was free of asbestos tile in order to abate the unit. It is expensive to abate the apartment. Housing was charged \$4,500. We had to wash the walls, lay down the plastic, etc. Commissioner Cook suggested that she could get the abatement bid at a cheaper rate. She will supply the housing authority with the name of the company that she uses.

7. DIRECTORS' REPORT/COMMISSIONERS' COMMENTS

Ms. Bouchard explained that the King Court sale and disposition; we haven't heard anything from the DECD yet. We had the public hearing on May 8, 2013. Housing will set up a meeting with the DECD to discuss this and the commitment letter that we haven't received yet. Commissioner Patterson asked has it been hard to have conversations with them and Ms. Bouchard explained that she talks to them on a monthly basis at the CHFA meetings. Housing is waiting for release of the funds from the Governor. Housing is also working on a draft to purchase sale agreement and then we are going to set up a meeting next Monday with the selection panel to keep them apprised of what is going on.

At Veterans Terrace, housing is waiting on the \$150,000 pre-development funds that we were awarded back in March of this year. We want to start working on the development piece with Veterans Terrace. Now we are looking at getting into round of CHAMP for next May, 2014. She went on to explain that housing signed a renewal for Veterans Terrace back in April for a 20 year use agreement. Our contract expired May 31, 2013 and we had a budget line item in there for reserve for replacement in the amount of \$350,000. What they wanted from us is to prove that we needed to do those types of repairs over the next year. So we looked at our capital needs assessment and pulled out items that we thought would enhance REAC scores at the property and sent a summary of what we planned on doing. The Contract Administrator wanted us to go one step further and put bid specs together and receive quotes for the work. Internally we had a problem with that because the reason you put in the reserved replacement in

there is to increase your rent so that HUD will award a higher subsidy. When you turn around and put out bid specs and you get quotes back, people are expecting to do all this work. If the rent is not increased, you can't do the work. Andre has been going around and putting together bid specs and getting quotes. Navigate, our current CA, gave us a three month extension on our contract to make sure that we can justify the reserve for replacement line item in the upcoming budget. Commissioner Cook asked if we are still able to continue to manage Veterans Terrace? Mr. Regan answered yes. Ms. Bouchard said HUD will continue to utilize Navigate as the CA until the contract is awarded. Any management occupancy reviews or any REAC inspections for multifamily properties are going cease until someone gets the award. Housing has time and that's why it is important for us to start working on some of these projects to increase our REAC scores.

We have continued to work on our training plan for VT. Two individuals were sent out for COS (certified occupancy specialist) training to make sure they know the rules and regulations that govern a 4350 property. Ms. Bouchard and Ms. Paisley attended MOR (management and occupancy review) training and took the certification exam so we know what they will be looking at when they come to do MOR's. Currently, Ms. Paisley is reviewing the compliance of 150 files to make sure all the documentation is there and the 4350 regulations have been met.

Ms. Bouchard announced that housing was awarded two million dollars for our scattered site program. Housing also submitted an HTCC application with CHFA for \$500,000. The points scored on the application so far are 71.4 points which does not usually qualify for the \$500,000 dollars. Housing tried to argue two areas where CFHA deducted points from us. They subtracted points from the fifty years of affordability for the program. We had a fifteen year Performa, but CHFA said they could not find the fifty year affordability in the documentation submitted. We are hoping to get the rest of the points as they only gave us 2.5 versus the whole 10 points. The other place we decreased in points was that we were serving individual at or below 25% AMI, but we also talked about 25% to 50% of AMI that we would be catering to, to lease these units. We don't know if we will get some points on this or not, but if we do, our score would be 89. That may or may not qualify us for the money. This is a state tax credit, not a federal tax credit. The total points you can get is 135 points and this is the first time housing is applying for it.

Regarding FEMA, Hartford County was blessed with a 72 hour event versus a 48 hour event. We looked at Sunday through Tuesday for staff overtime some contractor expenses. Ms. Bouchard sent the report to housing's FEMA specialist in the amount of \$30,000.

The Security Grant application was due today and over-nighted last night for the \$250,000 in grant funds for Meadow Hill and Miller Gardens. The reason why these two complexes were chosen is because that is where we are seeing the most problems. Tenants wanted security cameras installed in the elevators and in every hallway. The money would only cover two properties at this time. Housing staff met with the Mayor and Rich Kehoe to ask them for a letter of support. We also received a letter of support from the EHPD Chief Sirois. Chairman Keating stated that Kelly did a good job at the Town Council meeting. Ms. Bouchard said the installation of additional security cameras will enhance safety and security as well as document lease violations in these complexes. The current security cameras systems are analog, which makes things difficult because everything is recording back to a DVR and then you have to have an uplink back to the main office and when you look at it, the images are very slow and it could take someone all day to look at an hour segment. Getting a new security camera system would allow us to get on the internet and plug into an IP camera allowing us to see the footage faster. The cameras are more like computers whereas the analogs are not. Ms. Bouchard had a discussion with the police about setting up an MOU with them and if an incident happens and they needed to see it they could plug into our cameras.

Regarding the tenant commissioner, this has been tabled in the past as housing was focusing on disposition of King Court. Hopefully by the end of the summer this will be addressed. Various commissioners made comments about the process of obtaining a new resident commission. Commissioner Patterson stated that housing has only one tenant commissioner and five other commissioners. Attorney Alexander explained who within each household would be eligible to vote and how many ballots would be needed or involved. This legislation is going to be a big financial impact in the near future. Another issue is the elections commissioner. Ultimate determining party on this is the state's attorney general. A general discussion followed among the commissioners about State versus Federal tenant commissioners. It was suggested that while waiting for clarification on this process, letters could be drafted to address this issue.

8. NEW BUSINESS

a. Review and Approval of the PHA Annual Plan

Ms. Bouchard said the Annual plan for the upcoming year includes an update on our current goals and what we have achieved thus far. Housing will continue to work with the recovery agreement and continue to watching the financials and continue to work with the residents and section eight participants and some development pieces. The plan also shows that our rent collection rate is 95%, our occupancy rate is 99%, our vacancy unit turnaround is less than 20 days and that we were listed as high performance status for the Section 8 program. It also lists all the capital improvements completed from the previous year. Commissioner Yamamoto made a motion to approve the annual plan and it was seconded by Commissioner Cook and the motion carried.

b. Review and Approval of the Veteran's Terrace and King Court Management Plans

Commissioner Yamamoto made a motion to approve the management plan for the state housing developments for Veterans Terrace and Extension and King Court. The motion was seconded by Commissioner Cook and the motion carried.

c. Discussion of Creating a Finance Subcommittee

d. Discussion of Creating a Personnel Subcommittee

e. Discussion of Creating a Tenant Relations Subcommittee

Chairman Robert Keating stated that the following: The Finance Committee will be Commissioners John Carella and Hazelann Cook; The Personnel Committee would be Commissioners Chairman Robert Keating and Commissioner Vice Chairman Prescille Yamamoto and the Tenant Relations Committee would be Commissioners Chairman Robert Keating and Commissioner James Patterson. A motion was made by Commissioner Yamamoto to approve these committees. The motion was seconded by Commissioner James Patterson and the motion carried.

9. OLD BUSINESS

There was nothing to discuss under this heading.

10. EXECUTIVE SESSION

- a. Pending Claims and Litigation Update on Lawsuit
- b. Discussion of Strategy and Negotiations with Respect to Collective-Bargaining Matters
- c. Discussion of Negotiations regarding the Purchase and Sale of Real Estate- King Court
- d. Discussion of Personnel Matters

The motion was made by Vice Chairman Yamamoto to go into Executive Session for the purpose of discussion of pending claims and litigation update on lawsuit, discussion of strategy and negotiations with respect to collective bargaining matters, discussion of negotiations regarding the purchase and sale of King Court real estate, and discussion of personnel matters. Commissioner Cook seconded the motion; it was carried by the unanimous vote of the Commissioners to go into Executive Session at 6:05 p.m. Also in attendance was Debra Bouchard, Executive Director, Joseph Regan, Finance Director and Ralph Alexander, Legal Counsel.

The motion was made by Commissioner Patterson, seconded by Vice Chairman Keating and carried by unanimous vote of Commissioners, to come out of Executive Session at 7:40 p.m.

I hereby certify that the above is a true and accurate record of the minutes of the meeting held on June 19, 2013 by the Board of Commissioners of the East Hartford Housing Authority.

Respectfully submitted,



Debra Bouchard
Executive Director