

#2018-09
Regular Meeting of October 25, 2018

The members of the Brockton Housing Authority met in Regular Session in the Executive Board Room, Manning Tower, 45 Goddard Road, Brockton MA on Thursday, October 25, 2018. Chairman Timothy Sullivan called the meeting to order at 2:03 PM. Upon a roll call, those present and absent were as follows:

PRESENT

David Teixeira
Janet Trask
Ernest Pettiford
Timothy Sullivan

ABSENT

Sandra Proctor

Also present were Thomas Thibeault, Executive Director; Michael Pacious, Chief Financial Officer; Thomas Plouffe, Sr. Counsel and Division Director of Housing Administration; Frank Hinds, Division Director of Asset Management; Cheryl Elliott, Director of Accounting; Fred Welsh, Director of Resident Services; Chris Barry, Director of Capital Improvements; Owen Ahearn, Director of Maintenance and Susan Keating, Executive Secretary.

Mr. Thibeault explained that the minutes from the Special Meeting of September 20, 2018 have been reviewed and found to be in order. Commissioner Pettiford made a motion, seconded by Commissioner Trask to approve the minutes of the Special Meeting of September 20, 2018 as written. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Under Hearing of Visitors, Chairman Sullivan stated that any visitors wishing to be heard, would be allowed three minutes to speak; the Board will take any issues under advisement. There were no Visitors wishing to be heard.

Mr. Thibeault explained the Appointment of Maintenance Working Foreman. Michael Leary is being recommended to fill this position. Mike is a twenty eight year employee of the Authority who is deeply committed to Authority and its mission. He cares deeply for the residents that we serve and takes great pride in his work to maintain the buildings in which they reside. Mike has a great work ethic; is extremely skilled in heating systems and will continue to be a tremendous asset to the Authority in his new position. Mr. Plouffe explained the application and interview process. The two candidates were interviewed and evaluated by Mr. Hinds, Mr. Ahearn and Mr. Plouffe. Mike distinguished himself as the standout candidate and was the unanimous recommendation of the committee. Commissioner Trask made a motion, seconded by Commissioner Pettiford to appoint Michael J. Leary of Taunton MA to the position of Maintenance Working Foreman at the 2018 Step 1 rate of \$37.67 per hour, effective October 28, 2018. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Thibeault explained the Appointment of Receptionist. Ms. Patricia Vieira is being recommended for this position. Patricia has an extremely impressive resume and extensive

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experience. Mr. Thibeault stated that he found her to be a person of integrity and showed a great deal of interest in the Authority and the programs that they offer to their residents. Mr. Plouffe reviewed the application and interview process. Ten candidates were interviewed for the position and three were called back for a second interview. The committee consisting of Mr. Pacious, Ms. Elliott, Ms. Massiah and Mr. Plouffe found Ms. Vieira to be the most qualified candidate for the position and feel that she possesses the maturity, temperament and skills necessary and unanimously recommend her for the position. Patricia is also fluent in English, Portuguese and Cape Verdean Creole. Commissioner Teixeira made a motion, seconded by Commissioner Pettiford to appoint Patricia Vieira of Bridgewater MA to the position of Receptionist at the Step 1 rate of \$39,044 per annum effective October 31, 2018. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Under Correspondence, Mr. Thibeault reviewed the Mass NAHRO Newsletter for September 2018 with the Board.

Commissioner Teixeira stated that met with Mr. Thibeault and Ms. Elliott to review the bills and found them to be in order. Commissioner Teixeira made a motion, seconded by Commissioner Trask to approve the bills for the Regular Meeting of October 25, 2018 as presented. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Pacious reviewed the Financial Comparatives for the period ending August 31, 2018 with the Board and addressed their questions and concerns. Commissioner Pettiford made a motion, seconded by Commissioner Teixeira to accept the monthly cost comparatives for the period ending August 31, 2018 and put on file. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Barry explained the Approval of Change Order # - Fire Alarm Systems – Campello High Rise, Project 24-6 and Caffrey Towers, Project 24-7. During the replacement of the fire alarm systems at Campello High Rise and Caffrey Towers, there were a number of items requested by the Fire Department and unforeseen issues that were outside the scope of work, the total amount of the Change Order represents a 1.58% increase to the project. Mr. Barry reviewed the changes with the Board and addressed their questions. Commissioner Teixeira made a motion, seconded by Commissioner Trask to approve Change Order #1 in the amount of \$14,166.03 to the contract with Jupiter Electric Inc. of Salisbury, MA for the fire alarm systems project at Campello High Rise, Project 24-6 and Caffrey Towers, Project 24-7. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Barry explained the Approval of Addendum #1 – Additional Services – Fire Alarm System – Belair Tower, Project 24-10. During the design phase the Authority and McKinnell, McKinnell and Taylor determined that an asbestos consultant would be required for the design and

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monitoring of the replacement of the fire alarm system at Belair Tower. Although the asbestos abatement will be minimal in scope, it will require a non-traditional work plan to be developed and submitted to the Department of Environmental Protection for approval. Therefore, the Authority has asked McKinnell, McKinnell and Taylor to contract with a Massachusetts certified asbestos consultant to perform the design and monitoring phases of the asbestos abatement work. MM&T has proposed a not to exceed lump sum amount of \$12,780 for these additional services. Commissioner Pettiford made a motion, seconded by Commissioner Trask to approve Addendum #1 in an amount not to exceed \$12,780 to the contract with McKinnell, McKinnell and Taylor for additional services for the fire alarm system project at Belair Tower, Project 24-10. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Barry explained the Approval of Change Order #1 – Flooring Replacement, Phase II – Manning Tower, Project 24-3; Campello High Rise, Project 24-6 and Sullivan Tower, Project 24-8. During the design of the Phase II flooring replacement, a number of locations throughout the developments were deliberately not incorporated into the design due to budgetary constraints. After receiving the bids and final budget numbers, it was determined that the Authority could include some key components not previously considered. Commissioner Teixeira made a motion, seconded by Commissioner Pettiford to approve Change Order #1 in the amount of \$7,098.00 to the contract with Capital Carpet and Flooring Specialists, Inc. of Wilmington, MA for Phase II Flooring Replacement at Manning Tower, Project 24-3; Campello High Rise, Project 24-6 and Sullivan Tower, Project 24-8. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Barry explained the Approval of Change Order #1 – Comprehensive Elevator Replacement – Energy Conservation – Campello High Rise, Project 24-6; Caffrey Towers, Project 24-7 and Sullivan Tower, Project 24-8. Laracy Electrical Contractors, Inc., the initial apparent low electrical filed sub-bid for the comprehensive elevator replacement – energy conservation, withdrew their bid. The bid bond expired due to the time lapse for the award of contract and the issuance of the Notice to Proceed, ultimately causing their withdrawal. The Authority instructed United Elevator, Inc. to contact the next apparent low bidder, HUB Electric, Inc. to inquire as to their availability. HUB has accepted and has contracted with United Elevator to perform the electric work on the comprehensive elevator replacement – energy conservation project. The Change Order is to compensate United Elevator for the difference between the initial apparent low bid and the second low bidder, plus applicable markup. Mr. Barry addressed a number of questions from the Board. Commissioner Trask made a motion, seconded by Commissioner Pettiford to approve Change Order #1 in the amount of \$37,090.26 to the contract with United Elevator Inc. of Weymouth, MA for the comprehensive elevator replacement – energy conservation at Campello High Rise, Project 24-6; Caffrey Towers, Project 24-7 and Sullivan Tower, Project 24-8. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Barry explained the Award of Contract – Fire Alarm System – Belair Tower, Project 24-10. On September 19, 2018, the Capital Improvements Department solicited bids from DCAM certified, prime alarm systems contractors for fire alarm system upgrades at Belair Tower. An online bid opening was held on October 4, 2018; three bids were received, ranging from \$349,900 to \$476,600. Jupiter Electric Inc. was the apparent low bidder at \$349,900 and was deemed to be responsive and responsible after reference checks and a review of their bid documents. Commissioner Teixeira made a motion, seconded by Commissioner Pettiford to award a contract in the amount of \$349,900 to Jupiter Electric of Salisbury, MA for fire alarm system upgrades at Belair Tower, Project 24-10. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Hinds explained the Award of Contract for Measurement and Verification Services – Brockton Housing Authority Self-Implemented Second Energy Performance Contract and Installation of Energy Conservation Measures. On August 29, 2018 we issued a Request for Proposals from qualified firms to perform M&V services under our EPC2. This service is to monitor, measure and verify that the energy conservation devices we have installed to save water, electricity and gas are indeed yielding savings in the amount anticipated and meet the estimates that we forecast in our application to HUD. The selected firm also has to generate a report at the end of each year that is sent to HUD and the BHA. During each quarter of the year the M&V firm will notify the BHA if there are problems and will work with us to rectify any problems. Although seven firms picked up the RFP, only one firm submitted a proposal: Group 14 of Denver Colorado. We did contact a number of the other firms and they indicated that they did not have the capacity or skill needed to perform this work. We have worked with Group 14 and found them to be knowledgeable and qualified to do this work. Our RFP was structured for multiple, one-year renewable contracts not to exceed \$250,000. Group 14's first year fee is \$60,000, with subsequent years being \$61,800, \$63,653, \$64,546 which totals \$250,000. Subsequent years could be based upon a cost reasonableness study and Board approval. Mr. Hinds addressed a number of questions and concerns from the Board. Commissioner Trask made a motion, seconded by Commissioner Teixeira to approve the award of contract for Measurement and Verification Services (M&V) on the Brockton Housing Authority's Self-Implemented Second Energy Performance Contract (EPC2) and installation of Energy Conservation Measures (ECM) to Group 14 of Denver CO for a four year period that totals \$250,000. After four years, further renewable years would be based on a cost reasonableness study and the Board's approval. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Hinds explained the Approval of HUD's Flat Rents -2019. Each year HUD notifies housing authorities what the Fair Market Rents (FMR) are for units in their locale. The FMR's are HUD's estimate of what similar units in the Brockton area would rent for in the private market; please refer to the attached 2019 FMR Schedule. The FMR's are used in many formulas prescribed by

HUD, including the calculation of flat rents; these must be reviewed and adopted by each housing authority on an annual basis. Flat Rents (FR), are an elective that residents may choose instead of income based rents calculated using 30% of the resident's adjusted gross income. The Brockton Housing Authority currently has 66 residents who have elected to pay flat rents. In September 2015 HUD issued a new notice and instructed all housing authorities to adopt a new flat rent schedule & procedure in accordance with their notice, PIH 2015-13 (HA), whereby Flat Rents will be calculated at 80% of the FMR. Based on the FMR the new Flat Rents would be as follows: 0 Bed=\$822. / 1 Bed=\$909. / 2 bed = \$1,180. / 3 bed = \$1,483. / 4 Bed = \$1,724. / 5 bed=\$1,983. Commissioner Pettiford made a motion, seconded by Commissioner Trask to adopt the procedure of calculating Flat Rents at 80% of Fair Market rents on an annual basis, realizing 2019 Flat Rents as follows: 0 Bed=\$822. / 1 Bed=\$909. / 2 bed = \$1,180. / 3 bed = \$1,483. / 4 Bed = \$1,724. / 5 bed=\$1,983.; in accordance with HUD Notice PIH 2015-13 (HA). All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Ahearn explained the Award of Contract – On all Maintenance – Tree Removal and Trimming Services. The Maintenance Department issued an Invitation to Bid for tree removal and trimming services on an as needed basis. One bid was received from North Eastern Tree Services Inc. of Cranston, RI. Commissioner Trask made a motion, seconded by Commissioner Teixeira to award a three year contract for on call maintenance tree removal and trimming services to North Eastern Tree Services of Cranston, RI for an amount not to exceed \$150,000 per the duration of the contract. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Plouffe explained the Approval of 2019 HUD Payment Standards. Each year HUD publishes Fair Market Rents (FMR) per bedroom size, for use in the Housing Choice Voucher Program, known as Section 8 for each metropolitan area of the country. These rents are determined by HUD after a survey for the market in an area. HUD's regulations require that the Authority adopt Payment Standards (PS) based on the published FMR's. The payment standards are what the housing authority will consider to be the appropriate maximum rent for a particular size apartment. HUD allows local housing authorities the leeway in setting the payment standard between 90% and 110% of HUD's published rent because of the local housing authority's expertise and experience in a specific geographic location. The Rental Assistance staff's expertise is based upon experience in the market. The staff reviews over 200 new leases or rent increase requests each year. Each new lease or rent increase request requires a rent reasonableness comparison, for which the staff utilizes GoSection8, a product developed by Nan McKay, Inc. a leader in the Section 8 industry. GoSection8 compares and evaluates the requested rent amounts for assisted units against similar units that are unassisted in a specific locale. We are requesting to adopt the Payment Standards at 110% of the Fair Market Rents which will allow the Section 8 rents to remain in line with the current rent amounts for unassisted units of the same size. Mr. Plouffe reviewed the PS schedule with the Board and

addressed their questions and concerns. Commissioner Teixeira made a motion, seconded by Commissioner Trask that the Board of Commissioners, on behalf of the Brockton Housing Authority, adopts the Payment Standards as presented based on HUD's recently published Fair Market Rents effective January 1, 2019. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Pacious explained the Approval of Tenants Accounts Receivable (TARA) Write-offs for Federal and State Public Housing and the Affordable Housing Program. He provided the Board with copies of the recommended 2017 Tenant Accounts Receivable Account write-offs for the Federal public housing developments in the amount of \$37,946.13; the state public housing developments in the amount of \$8,317.79 and the Affordable Housing program in the amount of \$3,945.16. The purpose of the write-offs is to remove them from the Authority's books as an asset and, therefore, increase potential subsidy in the next fiscal year. These write-offs are for units that have been vacated by tenants for various reasons; no resident in possession of a unit is included on these lists. This action in no way precludes the Authority from pursuing the collection of these monies in the future. Commissioner Pettiford made a motion, seconded by Commissioner Trask to approve the Federal Public Housing Program write-offs for 2017 in the amount of \$37,946.13; the State Public Housing Program write-offs for 2017 in the amount of \$8,317.79 and the Affordable Housing Program write-offs for 2017 in the amount of \$3,945.16. All voted in the affirmative. The Chairman thereupon declared the motion carried.

Mr. Thibeault presented the Executive Director's Report. He reviewed the report with the Board in detail and answered their questions and concerns. Commissioner Trask made a motion, seconded by Commissioner Teixeira to accept the Executive Director's Report for October 25, 2018 and put on file. All voted in the affirmative.

There was no Old Business.

There was no New Business.

Chairman Sullivan made a motion, seconded by Commissioner Trask to enter into Executive Session under Purpose 1 of the Open Meeting Law to discuss complaints against a public employee. The Board will reconvene in public session if is necessary to make any additional announcement following the Executive Session. Upon a roll call vote, the ayes and nays were as follows:

<u>AYES</u>	<u>NAYS</u>
David Teixeira	None
Janet Trask	
Ernest Pettiford	
Timothy Sullivan	

The Chairman thereupon declared the motion carried and Board in Executive Session at 3:36 PM.

The Board reconvened in Public Session at 3:41 PM.

Chairman Sullivan stated that following an Executive Session under Purpose 1; in Executive Session the Board voted by a vote of four to zero to appoint Timothy Sullivan as hearing officer, if needed, to hold a hearing on a personnel matter.

There being no further business, Commissioner Teixeira made a motion, seconded by Commissioner Pettiford to adjourn. All voted in the affirmative. The Chairman thereupon declared the motion carried and the meeting adjourned at 3:44 PM.

Respectfully submitted,

/s/

Timothy J. Sullivan, Chairman

December 13, 2018

Date

/s/

Thomas G. Thibeault, Secretary