

THE MINUTES OF THE REGULAR MONTHLY MEETING  
OF THE COMMISSIONERS OF THE HOUSING AUTHORITY  
OF THE CITY OF NEWPORT, RHODE ISLAND  
HELD ON THE NINTH DAY OF NOVEMBER, 2006

The Commissioners of the Housing Authority of the City of Newport, Rhode Island met in regular session at the Florence Gray Center, One York Street, at 4:30 p.m. on November 9, 2006.

Roll call followed the Pledge of Allegiance to the Flag.

PRESENT:	Commissioner	Jan Shapin
	"	Rodney P. Bowley
	"	Elizabeth Fuerte
	"	Jade Hall
	"	Frank Landry

ABSENT:	Commissioner	John J. Crowley, Jr.
	"	Joseph T. Houlihan

ALSO PRESENT:	Attorney	Joseph J. Nicholson, Jr.
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The Chair announced that the first item of business is the Board of Tenant Affairs appeal hearings.

Mr. Robert Sabel of Rhode Island Legal Services stated that he is representing both residents in the appeal hearing process.

The Authority's attorney, Mr. Joseph Nicholson, briefed the Commissioners on drug-related activities which lead to the eviction process and subsequent Board of Tenant Affairs hearings for two individual residents of the Park Holm development.

The Board of Tenant Affairs' decision for each individual hearing was not to uphold the Authority's decision to evict.

Mr. Nicholson responded to questions presented by each of the Commissioners.

Mr. Robert Sabel was invited to address the Commission on behalf of the two residents involved in the hearings.

Mr. Sabel informed the Commissioners that the residents were represented by Linda Perotta of his staff and briefed the Commissioners on the role of the Board of Tenant Affairs.

Mr. Sabel stated that BOTA's decision not to uphold the Authority's decision to evict these two families was based upon hearing all the facts and details of each case.

The Secretary indicated that management is requesting the Commission's support of the Authority's decision to let the two cases proceed to District Court for due process.

Each Commissioner was given an opportunity to provide comments on this matter.

Following additional discussion a motion was made by Commissioner Bowley, seconded by Commissioner Landry, and passed on a four to one vote with Commissioner Hall abstaining, authorizing management to proceed to District Court for due process in the eviction case of the resident at 43 Park Holm.

Upon a motion by Commissioner Bowley, seconded by Commissioner Landry, and passed on a four to one vote with Commissioner Hall abstaining, management was authorized to proceed to District Court for due process in the eviction case of the resident at 42 Park Holm.

Upon a motion by Commissioner Landry, seconded by Commissioner Bowley, and unanimously carried, the Minutes of the Regular Monthly Meeting of October 10, 2006 were approved.

The monthly bills report was presented to the Commissioners.

Upon a motion by Commissioner Landry, seconded by Commissioner Fuerte, and unanimously carried, payment of the bills was authorized.

The Chair recognized the monthly report provided by Officer Piermont for the Park Holm and Tonomy Hill developments.

Upon a motion by Commissioner Fuerte, seconded by Commissioner Bowley, and unanimously carried, Officer Piermont's report was accepted.

Considerable discussion followed concerning the problem with coyotes in the area.

The Secretary stated that the Authority is working with the Aquidneck Land Trust, the City of Newport Parks Department, the Newport Police Department and animal control officer, the Sullivan School, and the Department of Environmental Management in an effort to find a solution to this problem. The Authority also has an aggressive trash management program in place.

The Secretary reviewed with the Commissioners the Consent Calendar items which included the Occupancy, Applications, and October Collection Loss Reports.

Upon a motion by Commissioner Landry, seconded by Commissioner Fuerte, and unanimously carried, the Consent Calendar items were approved.

The Secretary provided the Commissioners with a monthly program report on the Park Holm development, Healthy Homes-Healthy Residents and D.I.S.H. programs.

Upon a motion by Commissioner Bowley, seconded by Commissioner Fuerte, and unanimously carried, the program report was received.

The Secretary informed the Commissioners that the Authority had advertised a Request for Qualifications for Preliminary Architectural and Structural Analysis of the Florence Gray Center and the Maintenance Building on Hillside Avenue. He provided them with a summary of proposals that were received from five architectural firms.

The Secretary indicated that interviews will be tentatively scheduled for November 17<sup>th</sup> with the three firms who submitted proposals within the budget allowance of \$25,000, and requested approval to enter into a contract with the architectural firm that will be selected by the committee upon conclusion of the interview process.

Upon a motion by Commissioner Landry, seconded by Commissioner Bowley, and unanimously carried, the Secretary was authorized to enter into a contract with the architectural firm who will be selected by the committee upon conclusion of the interviews.

In response to the Commission's request for information regarding the Luna Market, the Secretary informed them that the Luna Market has a one-year lease which expires on February 28, 2007. The lease contains a thirty-day Notice of Termination. The annual rent is \$2,400.00, and an annual utility reimbursement to the Authority totals \$8,760.00.

The Secretary informed the Commissioners that the Authority has some concerns regarding the condition of the building structure that houses the Luna Market and improvements necessary to bring it into compliance with current fire codes and make it handicap accessible. The building accommodates two spaces, one of which is vacant, and substantial costs would be incurred to install separate utilities for each space.

Following discussion a motion was made by Commissioner Bowley, seconded by Commissioner Hall, and unanimously carried, not to renew the lease for Luna Market; that the tenant be informed the lease will be continued on a month to month basis while the Authority explores the costs associated with complying with fire codes, ADA compliance, and structural problems, and that effective March 1, 2007 a monthly rent be established that reflects the past utility usage of the market.

The Secretary provided the Commissioners with a copy of the Average Income Analysis Report and informed them that the Authority is required to review its income mixing annually to ensure consistency with the Deconcentration Policy.

The following Resolution was introduced by Commissioner Hall, it being Resolution No. 1016. Same was read aloud and in full by Commissioner Hall and considered by the Commissioners.

#### **Resolution No. 1016**

WHEREAS, the Housing Authority of the City of Newport, Rhode Island desires to comply with QHWRA and HUD's Final Rule, 24CFR Part 903.7(c) (2) with respect to deconcentration of very low-income families and income-mixing; and

WHEREAS, the Authority certifies that:

1. The income mix is consistent with the requirements for deconcentration of poverty and income mixing, despite the categorization of the covered developments as above and below the Established Income Range; and
2. The income mix of such development or developments is consistent with and furthers the locally determined goals of the PHA's Annual and Five Year Plans.

NOW, THEREFORE, BE IT RESOLVED, that the Deconcentration and Income Mixing certification be approved.

Commissioner Hall moved that the foregoing Resolution be adopted as introduced and read, which motion was seconded by Commissioner Fuerte, and upon roll call the "Ayes" and "Nays" were as follows:

<u>AYES</u>	<u>NAYS</u>
Commissioner Shapin	None
" Bowley	
" Fuerte	
" Hall	
" Landry	

The Chair thereupon declared said motion carried and said Resolution adopted.

The Secretary provided the Commissioners with a copy of the Section 8 Fair Market Rents which were published effective October 1<sup>st</sup> and requested approval to set the Authority's payments at 110% of the current Fair Market Rent.

The following Resolution was introduced by Commissioner Bowley, it being Resolution No. 1017. Same was read aloud and in full by Commissioner Bowley and considered by the Commissioners.

#### **Resolution No. 1017**

WHEREAS, the Housing Authority of the City of Newport updates the Section 8 Payment Standard as required by 24CFR 982.505; and

WHEREAS, the following new Section 8 Fair Market Rents are final effective October 1, 2006:

<u>0 BR</u>	<u>1 BR</u>	<u>2 BR</u>	<u>3 BR</u>	<u>4 BR</u>	<u>5 BR</u>	<u>6 BR</u>
654	798	987	1340	1732	1991	2251

WHEREAS, The Housing Authority's payment standards are set at 110% of the current FMR;

NOW, THEREFORE, BE IT RESOLVED, that the Section 8 Payment Standard, based on 110% of current fair market, is as follows:

<u>0 BR</u>	<u>1 BR</u>	<u>2 BR</u>	<u>3 BR</u>	<u>4 BR</u>	<u>5 BR</u>	<u>6 BR</u>
719	877	1085	1474	1905	2190	2476

Commissioner Bowley moved that the foregoing Resolution be adopted as introduced and read, which motion was seconded by Commissioner Fuerte, and upon roll call the "Ayes" and "Nays" were as follows:

<u>AYES</u>	<u>NAYS</u>
Commissioner Shapin	None
" Bowley	
" Fuerte	
" Hall	
" Landry	

The Chair thereupon declared said motion carried and said Resolution adopted.

The Secretary reviewed with the Commissioners a draft of the Authority's FY 2007 Annual Plan and informed them that a forty-five day public review period is required.

Following discussion it was decided to advertise the Plan's availability for public review on November 20<sup>th</sup> and schedule a Public Hearing for January 4, 2007 to receive public comments.

The Secretary invited the HOPE VI Director to review her monthly report with the Commissioners.

The HOPE VI Director indicated that Phases 1 and 2 are at 98% and 99% occupancy respectively. Certificates of Occupancy have been received for Phase 3 and some leaseings are now underway. A Tax Credit application for Phase 4 was submitted to Rhode Island Housing in October for thirty-seven rental units. Work is underway on a revised site plan that includes location and structure changes for homeownership units, and a community meeting will be held in December with the developer, Valley Affordable Housing, and the architect, The Newport Collaborative, to provide updated information.

The HOPE VI Director informed the Commissioners that the team is working with Valley Affordable Housing to prepare a predevelopment budget in order to start some Phase 4 work. The budget is expected to be ready for board approval in December.

The Chair indicated that because there are no public housing units on the rental side, HOPE VI funds are not able to be used for development. It will be loaned and repaid at closing, and therefore 11B funds will be used as they were in Phase 1.

The HOPE VI Director informed the Commissioners that abatement plans have been sent to the Department of Health and we are awaiting approval before moving forward with demolition. Demolition of Phase 4 is also contingent upon compliance with the Rhode Island Housing agreement however the Authority and its attorney believe it has satisfied the requirements of the agreement.

Commissioner Landry praised the efforts of the staff for their achievements to date in the HOPE VI effort.

The HOPE VI Director indicated that approval has been received for the demolition of Phase 5 however some issues, including a replacement housing plan, have to be worked out before demolition can be started in this phase.

The HOPE VI Director informed the Commissioners that there was a HUD site visit of Phase 4 in September and HUD staff were very impressed by the plan. Because the HOPE VI program has had two successful audits in succession HUD has waived the audit requirement for this year.

The HOPE VI Director informed the Commissioners that the Authority is also researching the possibility of a Section 8 homeownership program. Commissioners Bowley and Crowley recently attended a seminar specializing in this area and they have shared valuable information.

The Secretary acknowledged the monthly reports submitted by the Director of Finance.

Upon a motion by Commissioner Bowley, seconded by Commissioner Fuerte, and unanimously carried, the monthly reports submitted by the Director of Finance were accepted.

The Secretary acknowledged the monthly reports submitted by the Director of Maintenance and informed them that due to a family emergency he is unable to be present. The reports included a Narrative, Monthly Maintenance Activity, Report on Purchases, and Vehicle Report.

The Chair acknowledged the Vehicle Report which lists vehicles currently owned by the Authority and requested that the Director of Maintenance provide them with a report listing vehicles that are needed when Newport Heights is completed and the Authority is downsized.

Upon a motion by Commissioner Hall, seconded by Commissioner Landry, and unanimously carried, the monthly reports submitted by the Director of Maintenance were accepted.

The Secretary presented the following action items submitted for approval by the Director of Maintenance:

- (1) Innovative Construction:
  - (i) Req. No. 4 - \$7,065.23 (Sidewalk Replacements/Coddington Manor)
  - (ii) Req. No. 5 - \$14,193.20 ( " " /Donovan Manor)
  - (iii) Change Order No. 2 - \$5,840.00/seventy-six days increase to contract

Upon a motion by Commissioner Bowley, seconded by Commissioner Landry, and unanimously carried, all action items were approved.

The Secretary presented to the Commissioners a bill from Architectura, Inc. in accordance with their contract to provide architectural services on capital work items.

Upon a motion by Commissioner Bowley, seconded by Commissioner Fuerte, and unanimously carried, the Secretary was authorized to pay the bill from Architectural, Inc. in the amount of \$1,079.25.

The Secretary presented to the Commissioners Change Order No. 1 in the amount of \$6,000.00 from Architectura, Inc. representing the fee charged by Freeport General Contracting for investigatory demolition and reconstruction of two walls at the Park Holm development.

Upon a motion by Commissioner Hall, seconded by Commissioner Bowley, and unanimously carried, the Secretary was authorized to execute Change Order No. 1 from Architectura, Inc. in the amount of \$6,000.00.

The Secretary presented to the Commissioners a summary of proposals received for a snow plow. He stated that it is the Authority's intent to add a snow plow to one of the existing four-wheel drive vehicles and recommended the purchase be made from Pathfinder of Exeter, Rhode Island, for the proposed amount of \$3,495.00.

Upon a motion by Commissioner Bowley, seconded by Commissioner Fuerte, and unanimously carried, the Secretary was authorized to purchase a snow plow from Pathfinder in the amount of \$3,495.00.

The Secretary presented to the Commissioners a summary of proposals received for the addition of a blade and cab to one of the Authority's lawn tractors to be used for snow removal, and recommended the purchase be made from Tom's Lawn and Garden in Portsmouth for the proposed amount of \$3,656.00.

Upon a motion by Commissioner Landry, seconded by Commissioner Hall, and unanimously carried, the Secretary was authorized to purchase the blade and cab from Tom's Lawn and Garden in the amount of \$3,656.00.

The Secretary acknowledged the monthly report submitted by the Director of Social Services.

In response to a question from Commissioner Hall, the Director of Social Services stated that a \$2,500 grant was received for an exercise/wellness program for senior residents at the Donovan Manor and that she, along with the Elderly Services Coordinator, are currently working on that project.

The Director of Social Services informed the Commissioners that she has submitted a \$13,000.00 grant application to the Department of Elderly Affairs that provides funding for clerical assistance in her office as well as a mealsite manager for the Park Holm Senior Center.

The Chair invited Cindy Warren of the Newport Resident Council to provide the council's monthly report.

The Chair invited any Commissioner who may have a request to present it at this time.

The Chair clarified with the Commissioners that since no comments were received with regard to the series of goals for the year that was distributed to them, they can be appended to the Executive Director's contract as a statement of their intentions for the year. All agreed.

Upon a motion by Commissioner Landry, seconded by Commissioner Fuerte, and unanimously carried the meeting adjourned at 6:20 p.m.