

THE MINUTES OF THE REGULAR MONTHLY MEETING
OF THE COMMISSIONERS OF THE HOUSING AUTHORITY
OF THE CITY OF NEWPORT, RHODE ISLAND
HELD ON THE TWELFTH DAY OF JULY, 2007

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, Newport at 4:30 p.m. on July 12, 2007.

Roll call followed the Pledge of Allegiance:

PRESENT:	Commissioner	Jan Shapin
	"	Rodney P. Bowley
	"	Frank Coleman
	"	John J. Crowley, Jr.
	"	Jade Hall
	"	Frank Landry

ABSENT: None

ALSO PRESENT: Attorney Joseph J. Nicholson, Jr.

Upon a motion by Commissioner Crowley, seconded by Commissioner Bowley, and unanimously carried, the Minutes of the Annual Meeting of June 28, 2007 were approved.

Upon a motion by Commissioner Crowley, seconded by Commissioner Bowley, and unanimously carried, the Minutes of the Regular Monthly Meeting of June 28, 2007 were approved.

The monthly bills report was presented to the Commissioners.

Upon a motion by Commissioner Crowley, seconded by Commissioner Bowley, and unanimously carried, payment of the bills was approved.

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

Upon a motion by Commissioner Crowley, seconded by Commissioner Coleman, and unanimously carried, Officer Piermont's monthly report was accepted.

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

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

The Secretary presented to the Commissioners correspondence from Attorney Joseph Nicholson in which he responded to questions raised by the Commission to clarify the status of resident Commissioners and the vacant Resident Commissioner position.

The Secretary recommended that steps be taken to begin the election process for two resident Commissioners.

Commissioner Hall stated that as a resident of Newport Heights living in an ACC unit, she is still affiliated with the Newport Housing Authority and eligible to remain on the Authority's board. She is requesting a hearing at which she would like Ms. Denise Phillips and Mr. Ron Ashford of the HUD Washington office to be present as they had advised her previously that there would be no problem with her remaining on the Resident Council board and Housing Authority Board of Commissioners.

The Chair requested that the Authority's attorney present his interpretation of the state law in this regard.

Attorney Nicholson informed the Commissioners that his opinion in the matter of resident Commissioners was based upon state law and HUD regulations. State law indicates that the members shall be residents of the public housing facility, in this instance, the facility owned by the Newport Housing Authority.

The Chair indicated that with respect to the number of resident Commissioners, in how they are defined by state and federal laws, there is a distinct difference. She indicated that options available are to either hold a resident election in order to have two resident Commissioners serve on the board, or postpone the election process until next spring and have only one resident Commissioner serve until that time.

Commissioner Bowley stated that this situation came to light only when Commissioner Fuerte's eligibility to continue to serve on the board after she moved and was no longer a resident of the Authority, was questioned. When counsel provided his opinion on the matter he informed the Commissioners of the eligibility status of both resident Commissioners.

Commissioner Crowley moved that the Authority determine a date for an election in order to establish a list of eligible residents, and that the Chair write to HUD to request clarification on their ruling on this issue.

Discussion followed concerning the eligibility of residents in ACC units in Newport Heights to run for membership on the Newport Resident Council's board and Housing Authority Board of Commissioners, and until a decision is made on this issue, an election would have to be postponed.

Commissioner Hall stressed the importance of clarification on the issue of eligibility of residents of Newport Heights to run for office as it would affect her decision whether or not to run for an additional term.

Commissioner Crowley withdrew his original motion and recommended that the Chair make inquiries to determine a more definitive answer to the state law mandate and report her findings at the next meeting.

Attorney Nicholson indicated that in preparing his opinion, he had contacted the Attorney General's office who had agreed with his opinion. He will request a written clarification from their office that will address the state law in this regard.

The Secretary requested approval from the Commissioners to issue a Notice to Proceed to Otis Elevator for elevator repairs at Donovan Manor in accordance with their proposal.

Upon a motion by Commissioner Crowley, seconded by Commissioner Bowley, and unanimously carried, the Secretary was authorized to issue a Notice to Proceed to Otis Elevator for the installation of a new door operator in the amount of \$10,000 for each elevator, and new fixtures at each landing in the amount of \$5,500 for a total of \$25,500.

The Secretary presented to the Commissioners a copy of a request from Brandon Massey to film a documentary on Tonomy Hill and indicated that he has two concerns. First, waiving any responsibility in the event of injury or accident during filming on Housing Authority property, and secondly, detailed information regarding the intent and context of the documentary should be clarified.

Discussion followed during which the issue of liability insurance was raised as well as the purpose of the documentary. Commissioner Bowley suggested that Mr. Massey meet with the Authority's Executive Director and provide him with more in-depth information and return to the board next month for a decision.

The Secretary provided the Commissioners with a summary of proposals received in response to the Authority Request for Proposals for Legal Services.

Upon a motion by Commissioner Bowley, seconded by Commissioner Landry, and unanimously carried, the Secretary was authorized to enter into a two-year contract with the Law Offices of Joseph J. Nicholson, who were deemed to be the most qualified firm to serve the Authority's needs.

The Secretary informed the Commissioners that the HOPE VI Director is on vacation and provided them with a copy of her monthly report.

Commissioner Hall indicated that a plan for a tenant association at Newport Heights was prepared by management without tenant input and she requested that someone be assigned to oversee that procedures are followed.

The Secretary stated that there is a provision that Maloney Properties will put together a resident services budget and work with the residents of Newport Heights. The HOPE VI Director requested that Maloney Properties provide a budget for these services and a draft has been prepared.

Commissioner Hall specified that she would like funds to be set aside in the budget for educational programs.

Upon a motion by Commissioner Hall, seconded by Commissioner Bowley, and unanimously carried, the HOPE VI Director's report was accepted.

The Director of Finance provided the Commissioners with his monthly reports.

The Director of Finance provided the Commissioners with a summary of the Retiree Medical Actuary Report and informed them that the plan is over fifty percent funded and on schedule to pay off the liability in twenty years.

Upon a motion by Commissioner Crowley, seconded by Commissioner Landry, and unanimously carried, the report was approved.

The Director of Finance provided the Commissioners with a copy of a Revenue Sharing Agreement with Cox Communication.

Commissioner Bowley stated that he has reviewed this document and believes it is outside the scope of what is expected of housing authorities. He moved to deny the request from Cox Communication to enter into a marketing agreement, which motion was seconded by Commissioner Crowley, and unanimously carried.

The Secretary presented to the Commissioners the monthly maintenance report.

The Secretary presented to the Commissioners Application #1 from Freeport General Contracting in the amount of \$18,900.00 in conjunction with their contract with the Authority for exterior painting at Edgar Court and Pond Avenue and recommended payment be approved.

Upon a motion by Commissioner Bowley, seconded by Commissioner Crowley, and unanimously carried, the Secretary was authorized to pay the bill from Freeport General Contracting in the amount of \$18,900.00.

The Director of Social Services presented to the Commissioners her monthly report. There were no questions.

The Chair acknowledged the monthly report submitted by the Newport Resident Council.

Cindy Warren of the Newport Resident Council, on behalf of a resident still living in Tonomy Hill, requested that the street sign for Cowie Street be returned as the resident has complained that no one can locate her.

The Chair requested that staff find out if the city's Public Works Department took the sign and to return it until such time as the resident is relocated which should be soon.

Jade Hall, as interim President/Vice President of the Newport Resident Council, distributed a copy of a report listing decisions made at their general membership meeting held on July 9th.

Commissioner Crowley moved to table both reports until such time as the Executive Director is able to clarify the identity of the Newport Resident Council members and their respective rolls, which motion was seconded by Commissioner Bowley, and unanimously carried.

Commissioner Bowley stated that the bronze signs at Pond Avenue are tarnished and dirty and requested that they be cleaned.

Upon a motion by Commissioner Landry, seconded by Commissioner Hall, and unanimously carried the meeting adjourned at 5:30 p.m.