

ACTON HOUSING AUTHORITY
BOARD OF COMMISSIONERS MEETING
68 WINDSOR AVENUE, ACTON MA 01720
MINUTES
November 29, 2011

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MAY - 8 2012
TOWN CLERK, ACTON

Present: Bernice Baran, Nancy Kolb, Ken Sghia-Hughes, Dennis Sullivan and Robert Whittlesey

Also Present: Kelley Cronin, Howard Gordon

Mr. Whittlesey called the meeting to order at 4:00 p.m.

1. Ms. Baran made a motion which was seconded by Mr. Sghia-Hughes and unanimously voted in the affirmative to:

Approve the minutes of the November 29, 2011 meeting.

2. Howard Gordon, CPA, presented the 2012 budget to the Board. Congress is expected to fund the administrative fees at a 77% pro-ration factor for the Section 8 program. The budget represents that cut. If the funding changes the Board will have to make appropriate adjustments to the budget. The AHA will have to rely on Section 8 reserves to meet the budget this year. Over the next few months the staff will be looking to administer the vouchers that are ported out to other LHA's to reduce the gap in funds. The AHA may also have to conduct their own inspections of voucher units.

Ms. Baran made a motion which was seconded by Mr. Sullivan and unanimously voted in the affirmative to move:

That the proposed Operating budget for State-Aided 667 and 705 Housing of the Acton Housing Authority (Chapter 2000/667/705/689/MRVP), Program Number 400-1 for Fiscal Year Ending 12/31/2012 showing Total Revenue of \$ 507,170.00 and Total Expenses of \$ 744,327.00, there by requesting a subsidy of \$ 215,657.00 be submitted to the Department of Housing and Community Development for its review and approval.

Ms. Baran made a motion which was seconded by Mr. Sullivan and unanimously voted in the affirmative to move:

That the proposed Operating budget for State-Aided Housing of the Acton Housing Authority (Chapter 2000/667/705/689/MRVP), Program Number 689-1 for Fiscal Year Ending 12/31/2012 showing Total Revenue of \$ 33,093.00 and Total Expenses of \$ 28,939.00, there by requesting a subsidy of \$0 be submitted to DHCD for its review and approval.

Ms. Baran made a motion which was seconded by Mr. Sullivan and unanimously voted in the affirmative to move:

That the proposed Operating budget for State-Aided Housing of the Acton Housing Authority (Chapter 2000/667/705/689/MRVP), Program Number MRV-P for Fiscal Year Ending 12/31/2012 showing Total Revenue of \$ 4,800.00 and Total Expenses of \$ 77,750.00, there by requesting a subsidy of \$ 74,300.00 be submitted to the Department of Housing and Community Development for its review and approval.

3. Ms. Cronin and Mr. Gordon reported that the standard practice for LHA's is to have 3-5 year contracts with the Executive Director (E.D.) Ms. Cronin reported that Concord, Sudbury, Wayland, Hudson, Chelmsford, Westford, Groton, Maynard (all the surrounding LHA's) have 3-5 year contracts. The Board had several questions they wanted answered by DHCD regarding multi-year E.D. contracts. The questions were, 1.) There is no language in the contract that addresses termination for cause. The only language that refers to the cancelling of the contract is, 8. *That this agreement, executed in triplicate, shall be construed as a Massachusetts contract, shall take effect as an instrument under seal, and sets forth the entire contract between the parties. This Agreement may be canceled, modified, or amended only by a written instrument executed by all the parties and approved by the Department of Housing & Community Development.* The Boards reading of this language is that they cannot fire the E.D. for cause unless all parties agree in writing. Is this true or are there other regulations or laws that would allow the Board to terminate an E.D. for cause or non-performance of the contract? 2) If the Board fires or terminates the E.D. contract within the three year period are they required to pay the E.D. the balance of the contract? So for example, if the salary is \$70,070 and if the E.D. is terminated in year 2 do they owe the E.D. a year's salary for year three in order to terminate? 3) Can the Executive Director resign without the Boards consent during the period of the contract? Ms. Cronin said she would submit the questions to the AHA's attorney and DHCD.

The Board discussed the certifications they are being asked to sign by DHCD. The Board did not feel comfortable signing certifications that asked them to certify individually, under pains and penalties of perjury. DHCD had said they were going to revise the certifications. The Board said they would review the new documents and determine whether or not to sign.

4. Ms. Cronin updated the Board on the Sachem Way development. Ms. Cronin attached a copy of the letter to Stephen Steinberg as a follow up to the meeting to request Steinberg Lalli foundation support for the project. Ms. Cronin discussed the Owner's Project Manager RFP, a draft of which was attached to the Board's packet for the meeting. The position will be advertised in the Central Register. The State requires this position be filled and it was included in the development budget. Ms. Cronin let the Board know that in order to meet the development schedule and keep costs down the development consultant, Rebecca Mautner, was advising that we should issue a Notice to Proceed to the Architects. A fee is involved in issuing a

notice to proceed. The cost will be between \$20,000-\$30,000 and there are no existing development resources available. The AHA has applied to CEDAC for a pre-development loan and has been assured that there is more than 95% (according to e-mail from CEDAC) that we will receive our funding request of \$120,000. Also included was the Baker/Wohl invoicing summary, a pre-development budget from Rebecca Mautner, Front Money Schedule from Robert Whittlesey.de

Ms. Kolb made a motion which was seconded by Mr. Sullivan and unanimously voted in the affirmative to:

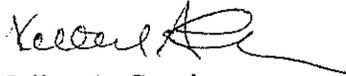
Issue a notice to proceed to Baker/Wohl Architects to complete the construction bid documents for the Sachem Way project.

5. Ms. Cronin let the Board know that enough people had volunteered to be donors for our families during the Holidays. The families also received Thanksgiving baskets from Mt. Calvary Baptist Church.
6. Ms. Cronin will bring a draft copy of the Annual Report for the Town to the next Board meeting.
7. Mr. Sghia-Hughes updated the Board on the Community Preservation Committee. The AHA's proposal will be reviewed on January 12th. All Board members are invited and encouraged to attend. There are many projects requesting funds this year.
8. Ms. Baran updated the Board on Acton Community Housing Committee activities.
9. Ms. Baran made a motion which was seconded by Mr. Sullivan and unanimously voted in the affirmative to:

Approve the October voucher (monthly list of accounts payable) as presented.

The meeting was adjourned.

Respectfully submitted,



Kelley A. Cronin
Executive Director

Attachments: October 25, 2011 Minutes, 2012 Budget and Budget Narrative, 2011 Budget, Baker/Wohl invoicing summary, a pre-development budget from Rebecca Mautner, Front Money Schedule from Robert Whittlesey, Notice to Proceed Letter, Letter to Steinberg-Lalli Foundation, Executive Director Contract, DHCD Salary Certification, DHCD Budget Certification, Owner's Project Manager RFP, October Voucher