

Newark Housing Authority
Board of Commissioners
August 12, 2020
Revised October 14, 2020

Summary of Meeting (Virtual Zoom) Minutes

Opening:

The regular meeting of the Board of Commissioners was called to order at approximately 5:00 PM by the Board Vice-Chairperson, Marguerite Ashely.

I. Roll Call:

Board of Commissioners present: Marguerite Ashley, Nikki Lane, Donna Shand, and Paul Tillman. Marene Jordan (Executive Director) and Attorney Donald Gouge Jr. was also present.

Note: Commissioner Emile Brown arrived after roll call joining the meeting at approximately 5:48 PM.

II. Approval of Minutes:

(a). Meeting Minutes from June 10, 2020

The Vice-Chairperson asked for a motion to approve the meeting minutes from the June 10, 2020 meeting. She noted that the board of commissioners does not meet in the month of July so the approval was for the most recent minutes. Before the minutes were approved, there were a few typos and corrections noted.

Ms. Lane made a comment on the section relating to the City of Newark Rental Housing Work Group update of the meeting minutes. Mrs. Jordan had prepared a statement to be read for the record during the council meeting where consideration was being made for the approval of recommendations from the Rental Work-Group. One of the three suggestions made by Mrs. Jordan was in reference to bullet #3: List property and lease to a Section 8 participant. Ms. Lane asked that bullet #3 be clarified to read as follows: List property and lease to a HUD Section 8 **affordable housing program participant**.

With the noted corrections and comments, Ms. Lane made a motion to approve the minutes. The motion was 2nd by Ms. Shand.

Aye 4 (Ms. Shand, Mr. Brown, Ms. Lane and Mr. Tillman)
Nay 0
Motion passed, Vote: 4 to 0

Note:

The Board of Commissioners had a public email exchange from July 14, 2020 to July 15, 2020 commenting on the Newark Post story of the “Family Reentry Pilot Program.” Due to the number of board members participating, it resulted in a quorum.

III. Report of the Executive Director:
(a). Staff Reports from May 2020

The Vice-Chairperson asked for the report of the Executive Director for the months of June and July 2020. Mrs. Jordan provided the following report.

June Staff Report:

City of Newark Rental Housing Work Group:

The Mayor and City Council approved the Rental Housing Working Group recommendations with some tweaks. The changes as well as finalizing the report and putting together a work-plan based on the prioritization matrix was presented to council on July 13th.

Mobile Food Event:

NHA attended the Mobile Food Pantry Distribution Event sponsored by Pastor Hackett at Alder Creek on Thursday, June 18, 2020. The event was well attended and a number of our George Reed Village residents participated.

Community Gift Cards :

NHA was made aware by former Mayor Polly Sierer that the Newark Area Welfare Committee had 15 donated gift cards that she wanted to distribute to NHA program participants. NHA selected participants from both of our programs (Public Housing and Section 8) to be the recipients.

HUD Waiver Approval:

NHA requested and received HUD approval for another 3-year waiver in creating a Family Self-Sufficiency (FSS) Program due to its limited staff, resources and eligible families who are not interested in the program. The waiver request will be extended through July of 2023.

Maintenance Contract:

NHA solicited the request for services for a Maintenance, Snow Removal and Ground Keeping Services. The Scope of Work is posted on NHA's website as well as listed in the Newark Post. The contract was expected to be awarded in June but has not been awarded to date.

Ms. Lane inquired as to if we notified our residents of possible COVID-19 exposure from our maintenance contractor. Mrs. Jordan replied that we reviewed the work-order log of our maintenance personnel to determine tenant contact. Afterwards, we contacted those few residents whose units he serviced prior to his reporting of symptoms related to COVID-19. All residents reported that all were well and they suffered/exhibited no symptoms.

Mr. Tillman asked if there were any reported cases to NHA of the COVID-19 virus from any of our residents. Mrs. Jordan replied, "To date, we have no reports of any incidents related to COVID-19."

Mr. Gouge (attorney) added, "If the maintenance contractor contracted the virus in May and it's August and there are no reports of COVID-19 exposure, there is no concern."

Resident Window Air Conditioners:

NHA was contacted by the First State Community Action Agency Summer Cooling Assistance Program. Now through September, residents may qualify to receive an energy efficient window air conditioner through this summer program. NHA shared the information with all its tenants.

Ms. Lane asked if any of our resident participated in the A/C initiative. Mrs. Jordan responded that there were a few. She added how many of the residents had received A/C's in the past. This initiative has an eligibility factor and has limitations as to the date when residents last participated in the summer cooling assistance program. Therefore, this limits their year to year application/participation.

July Staff Report:

Independence/Delaware Circle Suspicious Activity:

NHA provided notification to all our senior Public Housing Program participants in George Reed Village of recent incidents occurring in their neighborhood where residents were approached by a stranger who talked his way into their units. This resulted in two residents being taken advantage of. The incidents were reported to the Newark Police Department. The notice circulated by NHA provided residents guidance on being observant, aware and cautious of any person(s) in the neighborhood who is not familiar. With the occurrence of such incidents, senior residents were advised to report suspicious activity to the Newark Police Department.

Newark Area Welfare Committee Children Shoe Initiative:

NHA was made aware by former Mayor Polly Sierer that the Newark Area Welfare Committee (NAWC) has a "Shoes for Children Initiative" offering new shoes for children of participating families. The families at Alder Creek are included in this initiative which will be offered until the end of the year.

Newark Arts Alliance:

NHA received information from the Newark Arts Alliance regarding the Camp Imagine brochure and scholarship application which was open to our residents who were income eligible. The first week of camp started on July 27. Campers could attend the first or second week, or both. The scholarship awards were on a first come, first served basis. The Arts Alliance funding was from New Castle County councilwoman Lisa Diller for this purpose. NHA circulated flyers to our tenants informing them of this great opportunity. NHA received no responses.

Ms. Shand commented that she was involved with the Newark Arts Alliance in the past and that it would have been worthwhile for the residents to participate.

Mr. Tillman commented that the reason people did not respond may have been related to COVID-19.

HUD's Assessment of the Section 8 Program for FYE 3/31/2020:

NHA received notification from the U.S. Department of Housing and Urban Development field office in Philadelphia that their assessment of the Housing Choice Voucher Program Section 8 Management

Assessment Program (SEMAP) for FYE March 31, 2020 is complete. NHA regained its High Performer Status by receiving a score of 96% thus ranking NHA's performance rating as High. This improved from the last FY when NHA was assessed at 85% with a ranking of a Standard Performer. Last year's standard ranking was in part due to indicator #13 – Lease-up.

COVID-19 Care Packages:

NHA purchased, received and distributed COVID-19 Care Packages to our Low Income Public Housing tenants including the tenants at Alder Creek. The packages included gloves, masks, hand sanitizer, a digital thermometer and disinfectant wipes. We scheduled a pick-up date and time for everyone to sign for and receive their packages. Residents with mobility and health issues had their packages delivered to them. The funding source for the packages was the Cares Act Supplemental Funds received from the U.S. Department of Housing and Urban Development.

Mrs. Jordan mentioned that the Cares Act Supplemental Funds has to be expended by the end of December 2020.

Ms. Ashley asked how much was left.

Mrs. Jordan replied, "About \$45,000 between Alder Creek and NHA."

Mrs. Lane suggested that we survey our residents to see if they are interested in being screened for COVID-19.

Ms. Shand mentioned that there are home kits that can be purchased so that the testing can be done at home and it is very easy to use. She added that the state is also offering mouth swabs.

Mr. Brown mentioned that there is a link on the State website for COVID-19 testing.

Mr. Tillman mentioned there are places in Newark that perform the test.

Mrs. Jordan added that HUD had circulated an email asking if any PHA had interest in having their residents tested. NHA responded but asked for a location in close proximity to NHA's office since majority of our residents are seniors.

Ms. Shand mentioned that perhaps we could buy laptops for residents with children who will be attending school remotely.

Ms. Lane added that maybe we could survey the residents to inquire as to if they have internet services since the shelter in place is still in effect. She added, "Comcast has an affordable housing plan that we should look into." She was in agreement with the laptops.

The Vice-Chairperson asked for a motion to approve the Staff Reports for the months of June and July 2020. Ms. Lane made a motion to approve the minutes. The motion was 2nd by Ms. Shand.

Aye 4 (Ms. Shand, Mr. Brown, Ms. Lane and Mr. Tillman)
Nay 0
Motion passed, Vote: 4 to 0

IV. Committee Reports:

A. Report of Policies, Procedures, Compliance & Personnel Committee – Chairperson (Mr. Brown):

The Chairperson of this sub-committee, Mr. Brown was not present for the report from this committee. However, since the board of commissioners received an advance copy of the proposed language for a revision to the By-Laws; specifically Article III – Meetings: Section -2 Regular Meetings and Section 6 – Manner of Voting, a brief review and discussion took place. Mr. Gouge (attorney) noted that his suggested language is in line with what is proposed by Mr. Brown and is consistent with the State.

The Vice-Chairperson asked for a motion to approve the revisions to the By-Laws. Before a motion was made, there were a few typos and corrections noted. With the noted corrections, Mr. Tillman made a motion to approve the By-Laws. The motion was 2nd by Ms. Shand.

There was no action taken by the Board of Commissioners on the proposed language to the By-Laws for “Action without Meeting” proposed by Mr. Brown. This item was tabled until the next meeting to allow more research to be performed by Mr. Gouge.

B. Report from Development Committee – Chairperson (Vacant):

(a). Committee Update:

The Vice-Chairperson of the Board acknowledged that this committee still does not have a Chairperson so she asked Mrs. Jordan to provide the update. Mrs. Jordan provided the following report.

Mrs. Jordan reported that NHA and its team are working on the developer agreement for the redevelopment of George Reed Village II to present to LNWA (our developer partners). The first strategy meeting is scheduled for next week. The agenda items to be discussed will be the tax credit application submission and deal structure. She added that she had learned that WHA will also be submitting an application for the 9% tax credits during the same time that we will be submitting our application. So, we need to make sure that we have all our bases covered as these credits are very competitive and are based on a thorough and complete application.

A part of the tax credit process requires that we have a letter of support from the City of Newark. She mentioned providing everyone with a copy of the resolution NHA received from the City in support of the Cleveland Heights redevelopment.

Mrs. Jordan added that the Vice-Chairperson will be reaching out to the City to ask that NHA be added to the agenda to receive a letter of support/resolution from the Mayor and Council.

Mrs. Jordan added that the Board of Commissioners have already approved Resolution #396 (the submission of a Section 18 Demolition/Disposition Application) as well as Resolution # 400 (the submission for a Streamlined Voluntary Conversion pursuant to HUD Notice PIH 2019-05). Once NHA receives the support from the City, Resolution #396 will have to be revisited because the Section 18 application requires the authorizing resolution to be dated after receiving the letter of support.

Mrs. Jordan added, “After careful consideration and consultation from our development team in determining which of the two options is best for the redevelopment of George Reed Village II, it is recommended that NHA proceed with the Section 18 application to revitalize the remaining 54 aged units owned and managed by the authority.”

The Vice-Chairperson forwarded a copy of proposed language to suggest to the City of Newark in support of the George Reed Redevelopment. She asked that all Board of Commissioners provide any comments or edits to Mrs. Jordan on or before August 19th. The Vice-Chairperson will contact the City to receive a date to be added to the City’s agenda.

C. Report of Finance Committee – Chairperson (Ms. Shand):

(a) Monthly Financials:

The Chairperson of this sub-committee, Ms. Shand, was present. She acknowledged that all board of commissioners received a copy of the financial reports for the period covering April – May of 2020. Due to COVID-19, Mrs. Jordan prioritized monthly reporting by requiring that the submission of the unaudited financials for FYE 3/31/2020 be submitted first. She added that we should have updated financial records at the next meeting.

In reviewing the financial reports submitted, she noticed that the income on the Capital Fund Program budget line was for \$10,000 but is actually zero (\$0). The reason is the NHA did not need to draw the funds in the months of April and May.

Mrs. Shand afforded the commissioners with an opportunity to review and ask questions. There were no questions so that concluded the report from this committee.

D. Strategic Planning Committee – Chairperson (Ms. Shand):

The Chairperson of this sub-committee, Ms. Shand was present. She reported that the workshop was postponed until we are able to meet in person.

V. Attorney Issues:

Mr. Gouge reported he that had no report.

VI. Old Business:

- A. From the other Commissioners: N/A
- B. From the Executive Director:

(a). Discussion/Update – Family Reentry Pilot Program:

Mrs. Jordan mentioned the ceremonial MOU signing for the Family Re-entry Program (FRP) in a Zoom format held on July 9, 2020 was successful. The MOU signing was a celebration of all parties involved coming together to take part in a statewide Family Re-entry Pilot Program (FRP). This program represents a statewide initiative to advance Governor John Carney's effort to support the reentry success and reduce Delaware's recidivism rate through Executive Order 27. The goal of the program is to provide individuals recently released after incarceration, or individuals who have been in the community for less than 3 years (either following a period of incarceration, or following the commission of an offense which did not result in incarceration) with the opportunity to reunite with their families living in Public Housing. During the ceremonial MOU signing she commented with the following statement:

“Here at NHA we are fully committed to this initiative. This Pilot Program is an excellent opportunity to support individuals (involved in the criminal justice system) transitioning back into our communities.”

NHA has not determined a date to implement the program but is looking forward to its implementation and success.

Mrs. Jordan expressed her disappointment with the Newark Post article of July 9th. She found the comments made by Mayor Clifton to be offensive and inaccurate. She added that all five housing authorities have been working on this initiative for that past 2 years. This collaboration is a statewide initiative to advance Governor John Carney's effort to support the reentry success and reduce Delaware's recidivism rate through Executive Order 27.

She was quite taken by the report of Mayor Clifton not being aware of this initiative and the NHA being accused of conducting business in the dark without feedback from the public. This was not truthful. She added that she makes every effort to inform the public of business conducted by NHA. Emails have been sent to Mayor and Council, receiving little or no response. In order to have effective communication; communications have to be reciprocal. There appears to be no interest and if there is no interest, one cannot be effectively engaged in or aware of the business of the authority.

Upon receiving our meeting agendas and minutes, former Mayor Polly Sierer would attend the meeting or call if there was something of interest to her or if she needed clarification on an item.

State Representative Paul Baumbach is in frequent contact with NHA through periodic phone calls and /or meetings when he wants updates on the business of the authority.

Some feel the Pilot Program is tainted by the comments made by Mayor Clifton before it's even launched.

Ms. Lane asked, "Of the five housing authorities, how many have held their public hearings?"

Mrs. Jordan responded, "Three out of five and NHA is one of the two who haven't done so yet."

Mr. Brown stated that he feels the comments are based on race. He expressed support of the initiative as it allows for 2nd chances. He mentioned that if this (race) is what the administration is about then he is not for it.

Ms. Ashley commented that she was disappointed in the comments too. She mentioned that she finds fault on both sides as there appears to be a communication problem. She asked that the agenda items be a little more specific.

Mr. Tillman commented that he did not believe that the comments were based on that (race) but just that he (the Mayor) was unaware of the program. He added how he has a good relationship with the Mayor and that he wants to continue to have that relationship. He concurred with the statements made by Ms. Ashley.

Ms. Lane understood why the Public Hearing was not held but feels the Mayor is concerned about the constituents who have voiced their concerns to him of not being able to provide their comments.

Mrs. Jordan mentioned having conversations with Mayor Clifton and Councilman Lawhorn. The conversation with Mayor Clifton was the day after the ceremonial MOU signing. Therefore, she did not understand why the Newark Post's story was so negative being that the story aired the following week.

Mr. Tillman confirmed that Mrs. Jordan meet with the Mayor. She said, "Yes."

Mr. Tillman asked how things are now.

Mrs. Jordan replied, "Ok".

- C. From Legal Counsel:
 - (a). Board Vacancies:

Mr. Gouge referred to Delaware Code 4304A-Newark Housing Authority and read the following:

"A Newark Housing Authority commissioner or interim commissioner shall serve at the pleasure of the person who appointed the commissioner or interim commissioner, and may be suspended or removed by the appointing authority for misfeasance, nonfeasance, malfeasance, misconduct, incompetence, or neglect of duty.

A commissioner who is absent without adequate reason for 3 consecutive meetings, or who fails to attend at least half of all regular business meetings during any calendar year, shall be guilty of neglect of duty.”

Mr. Gouge stated that only the appointing authority can remove him. He suggested that the board authorize either himself or Mrs. Jordan to draft a letter to the Governor’s Office (since Mr. Harris is a Governor’s appointment) asking that he be removed and replaced.

Mr. Gouge reminded the board that his replacement must be a resident of NHA’s program as Mr. Harris was appointed to hold the resident’s seat.

Mrs. Jordan confirmed that Mr. Harris has verbally expressed that he has resigned from the board but has not provided a written notice as outlined in the Procedural Manual.

Ms. Ashely asked if he still lives within the City Limits of Newark.

Mrs. Jordan responded, “No’.

Mr. Gouge stated there are several reasons why Mr. Harris should be removed; neglect and residency requirements. He asked that the board vote and decide if he or Mrs. Jordan would send the letter to the Governor’s Office.

Mrs. Jordan asked that the board authorize Mr. Gouge to send the letter.

The Vice-Chairperson asked for a motion authorizing Mr. Gouge to draft a letter to the Governor’s Office for the removal of Mr. Harris from NHA’s Board. Mr. Brown made a motion. The motion was 2nd by Mr. Tillman.

Aye 4 (Ms. Shand, Mr. Brown, Ms. Lane and Mr. Tillman)
Nay 0
Motion passed, Vote: 4 to 0

Mrs. Jordan acknowledged receiving an email from Dr. Lewis stating he is resigning. Dr. Lewis was fulfilling an unexpired board term.

VII. New Business:

A. From Commissioners:

(a). Dissemination of Board Information:

A brief discussion took place with Mrs. Lane stating that in her email (of July 15th), NHA is to establish a point of contact for our meetings and minutes and require confirmation upon receipt. Mrs. Jordan stated that a process is already in place. The meeting agenda is emailed to the City Secretary but not the minutes. The City Secretary usually responds once received.

Mrs. Jordan asked if anyone knew as to how other boards keep the City aware of their meetings and agenda.

Mr. Tillman replied that he didn't know.

(b). **Website Maintenance:**

Mrs. Jordan added that she takes full responsibility for the agenda's and meeting minutes not being posted timely.

(c). **Contact Tab vs. Public Tab:**

Mrs. Jordan asked for clarification being that a contact tab already exists on the website. This is where the public can ask questions and receive responses. She asked if another tab (Public Tab) is necessary.

Mrs. Lane commented that she was unaware that a contact tab existed. She was referring to a specific tab where the public can comment on our public hearing notices.

After a brief conversation, Mr. Tillman noted that perhaps we could add to the contact tab by including "Comments are welcome."

It was the consensus of the commissioners to have Mrs. Jordan contact our website host to request they make a modification to the contact tab.

B. From the Executive Director:

(a). **Public Hearing – Family Reentry Pilot Program:**

Mrs. Jordan reported that NHA in collaboration with the City of Newark will be holding a Public Hearing/Information Session on August 20, 2020 to seek public comments on the Family Reentry Pilot Program. Assisting in the planning process for the hearing was Delaware State Housing Authority and New Castle County Housing Authorities, the City of Newark's Chief Communications Officer and City Secretary along with State Representative Paul Baumbach.

The panelists include:

1. Devon Manning-Planner IV, Delaware State Housing Authority
2. Jessica Cline-Department of Corrections, Director of Reentry
3. Stephen Metraux-PhD., Director & Associate Professor, Center for Community Research & Service, Biden School of Public Policy & Administration, University of Delaware

Mrs. Jordan acknowledged emailing the commissioners a draft of the agenda but will send a clean version along with the power-point presentation.

Ms. Shand asked Mrs. Jordan to also send the link for this hearing.

C. From Legal Counsel: N/A

VIII. Executive Session: Closed to the Public
(a) A discussion regarding a Real Estate Transaction

The Vice-Chairperson asked for a motion to enter into Executive Session to discuss a Real Estate Transaction. Mr. Brown made a motion. The motion was 2nd by Mr. Tillman.

Aye 4 (Ms. Shand, Mr. Brown, Ms. Lane and Mr. Tillman)
Nay 0
Motion passed, Vote: 4 to 0

At approximately 7:10 PM the board of commissioners entered into Executive Session.

At approximately 7:30 PM the board of commissioner came out of the Executive Session.

The Vice-Chairperson asked for a motion for the meeting to become public. Ms. Shand made a motion for the meeting to become public. The motion was 2nd by Mr. Brown.

Aye 4 (Ms. Shand, Mr. Brown, Ms. Lane and Mr. Tillman)
Nay 0
Motion passed, Vote: 4 to 0

The Vice-Chairperson stated for the record that a real estate transaction was discussed during Executive Session pertaining to 37 and 39 West Cleveland Avenue. The Vice-Chairperson asked for a vote on how the commissioners should proceed with these properties.

Ms. Shand made a motion to proceed with the process of listing the properties for sale. The motion was 2nd by Mr. Brown and Ms. Ashely.

Aye 4 (Ms. Shand, Mr. Brown, Ms. Lane and Mr. Tillman)
Nay 0
Motion passed, Vote: 4 to 0

IX. Visitors and/or Petition: N/A

X. Adjournment:

The Vice-Chairperson asked for a motion to adjourn the meeting. Mr. Brown made a motion for the board to adjourn. The motion was 2nd by Mr. Tillman.

Aye 4 (Ms. Shand, Mr. Brown, Ms. Lane and Mr. Tillman)
Nay 0
Motion passed, Vote: 4 to 0

Meeting adjourned at approximately 7:32 PM
Minutes Submitted by: Marene M. Jordan, Executive Director