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**Newark Housing Authority  
Board of Commissioners  
January 12, 2022**

**Summary of Meeting (Virtual Zoom) Minutes**

**Opening:**

The regular meeting of the Board of Commissioners was called to order at approximately 5:08 PM by the Chairperson, Nikki Lane.

**I. Roll Call:**

The Chairperson made a request for Roll Call. Board of Commissioners present: Nikki Lane, Marguerite Ashley, Emile Brown, Paul Tillman, Denise Forman-Gaines, Kathleen Lewis and Brian Anderson. Marene Jordan (Executive Director) and Attorney Donald Gouge Jr. were also present.

**II. Guest: Sean Kelly from Leon N. Weiner and Associates, Presentation of Proposed Plans for George Reed Village.**

The Chairperson opened the floor to our guests, Mr. Sean Kelly. Mr. Kelly thanked everyone for the opportunity to present an exciting plan for the redevelopment of George Reed Village II. Mr. Kelly stated that Leon N. Weiner and Associates (LNWA) are an Affordable Housing Developer based in Wilmington, DE. Mr. Kelly referenced Main Towers which is owned and managed by LNWA with emphasis on their organization having deep roots in the community. Mr. Kelly is a native of Delaware with a financial background.

Mr. Kelly referenced that NHA procured LNWA through a procurement process. Mr. Kelly referenced having met with the City of Newark's planning department two times to discuss on how best to proceed with our plan. The City Manager, Tom Coleman, is very supportive of our plan and assisted with the project receiving \$500,000 in state funding for Phase I. He mentioned that the financing involved for this redevelopment is the Delaware State Housing Authority's Tax Credits. We will be applying for two rounds of competitive 9% tax credits. The application process for Phase I, is specific to the mid-rise units and Phase II will be for the garden style units ranging from 2 -4 bedroom units. We will apply for round two 12 months after Phase I.

Mr. Kelly presented an introductory conceptual site plan, an aerial concept, and a building schematic design for Phase I to help facilitate the presentation. For Phase I, the plans include a mid-rise apartment building designated for seniors on East Main Street offering 53 units built to the Department of Energy Net Zero requirements. We propose a community garden and some type of supportive services to occupy the retail space along with updated office space for NHA. For Phase II, large garden apartments in the rear of the community ranging from 2-4 bedrooms are proposed. Zoning for the front parcel on East Main Street will be rezoned to AC (Adult Community). The rear parcel on Independence Circle will be rezoned to Residential Multifamily (RM) for Phase II. We will need several approvals from the U.S. Department of Housing and Urban Development and the State for the changes. The competition for the 9% tax credits will be very competitive. Mr. Kelly emphasized that if we do not receive the 9% tax credits we will have to

wait and apply next year. He added that the tax credit applications are due in April, and we will be submitting an application for Phase I. The state awards the credits in July. We will close on the deal (settlement) for Phase I ten months from July.

This process will repeat itself for Phase II.

The slide show included the following:

The Timeline for Phase I:

Submit State Financing Application:	April 30, 2022 (LIHTC Application to DSHA)
Relocation of Impacted Residents:	January – February 2023 (Temporary off-site location)
Begin Construction:	May 1, 2023
Construction Complete:	June 1, 2024

The Timeline for Phase II:

TBD

At this time, Mr. Kelly entertained questions.

Commissioner Brown asked if he'd had any communication with State Representative Baumbach.

Mr. Kelly responded that he had months ago, and it was to introduce the plan and ask for his support in NHA's affordable housing redevelopment.

Commissioner Tillman asked, "What are the biggest risks in this redevelopment opportunity?"

Mr. Kelly responded, "Competition and limited resources." He stated, "The LIHTC is awarded by the state body. We will need to beat out two developers to get these credits. We will score well because of the location on Main Street. Annually, you apply for these credits, so we need to strategize."

Commissioner Forman-Gaines asked if DSHA's funding was for Commercial or Residential.

Mr. Kelley responded, "DSHA issues funding for "affordable housing", and it will be very expensive to build on Main Street. There are Capital Grants. We have submitted an application for APRA Funds."

Commissioner Forman-Gaines asked if there is anything that we can do.

Mr. Kelly responded with, "Writing a letter to your state representatives and the congressional delegation asking for support of our plans would help."

Commissioner Tillman asked if there was any COVID money at the local or state level.

Mr. Kelly responded, "There is funding available on both levels. The city received \$18 million in funding and the city can broaden things with the funding under Revenue Replacement. We initially asked the City of Newark for support, and they suggested that they work on our behalf at the state level."

Commissioner Tillman asked if there were any concerns regarding the turnovers on City Council and being that we will be losing our Mayor.

Mr. Kelly responded, "We are very active in our organization so we talk to a lot of people, we have a lot of relationships and because of the lack of affordable housing this will be met with open arms. This project will receive more support than another market rate development on Main Street."

Commissioner Tillman asked, "Will there be any push back given the proposed five stories?"

Mr. Kelly responded, "No, five stories should not be a problem." He referenced the proposed plans for the Motel 6 on Main Street is sighted for five stories."

Commissioner Anderson asked if the five-story building will be ADA compliant.

Mr. Kelly responded, "15% will meet full ADA standards with the remaining being visible."

Commissioner Anderson asked if the other units would have grab bars.

Mr. Kelly responded, "Yes."

Commissioner Anderson asked if there was any thought in including studio apartments in the plan.

Mr. Kelly clarified the unit mix for Phase I will be 1-bedroom units but was open to having a discussion regarding studio units.

Commissioner Anderson commented, "I asked that question because maybe reducing the 1-bedroom unit to studios will increase the number assisted."

Mr. Kelly responded, "DSHA will not approve studio units for this redevelopment.

Commissioner Ashely asked, "Will there the units have balconies?"

Mr. Kelly responded, "We are very early in the land use development process, and we need to get further into it to determine that. Balconies are expensive to build, and we are already including the Net Zero Ready Series."

The Chairperson asked if there were any additional questions from the Commissioners. Since there were none, the chairperson thanked Mr. Kelly for his presentation.

Mr. Kelly mentioned that he would be more than happy to come back at another time as plans progress to provide another update.

### **III. Approval of Minutes:**

#### **(a). Meeting Minutes from November 10, 2021.**

The Chairperson asked if there were any questions or comments regarding the minutes prior to asking for a motion to approve the meeting minutes for the November 10, 2021, meeting. There were none.

The Chairperson asked for a motion to approve the meeting minutes.

Commissioner Brown made a motion to approve the meeting minutes from the November 10, 2021, meeting. The motion was 2<sup>nd</sup> by Mrs. Forman-Gaines.

Aye 6 (Ms. Ashley, Mr. Brown, Mr. Tillman, Mrs. Forman-Gaines, Ms. Lewis and Mr. Anderson)  
Nay 0  
Motion passed, Vote: 6 to 0

The Chairperson asked for a motion to approve the Executive Session meeting minutes from October 2021.

#### **(b). Executive Session Meeting Minutes from October 2021.**

Commissioner Anderson asked why he wasn't included in the Executive Session Meeting. He added, "There was no reference to this meeting in the packet."

Mrs. Jordan responded that the link was not provided by her.

The Chairperson asked if Mr. Anderson received the email.

Commissioner Anderson responded that he could not access the link because he does not have the technology and no phone number was given.

The Chairperson requested that if Executive Sessions are needed in the future, to include the phone number to allow access by a mobile device.

Commissioner Brown made a motion to approve the Executive Session meeting minutes from October 2021. The motion was 2<sup>nd</sup> by Commissioner Ashley.

Aye 5 (Ms. Ashley, Mr. Brown, Mr. Tillman, Mrs. Forman-Gaines and Ms. Lewis)  
Nay 0  
Abstain 1 (Mr. Anderson)  
Motion passed, Vote: 5 to 0

The Chairperson asked for a motion to approve the Executive Session meeting minutes from November 2021.

**(c). Executive Session Meeting Minutes from November 2021.**

Commissioner Forman-Gaines made a motion to approve these meeting minutes. The motion was 2<sup>nd</sup> by Commissioner Brown.

Aye 5 (Ms. Ashley, Mr. Brown, Mr. Tillman, Mrs. Forman-Gaines and Ms. Lewis)  
Nay 0  
Abstain 1 (Mr. Anderson)  
Motion passed, Vote: 5 to 0

**IV. Report of the Executive Director:**

**(a). Staff Report from November and December 2021**

The Chairperson asked for the report of the Executive Director for the months of November and December 2021. Ms. Jordan provided the following report:

**COVID-19 Booster Shots:**

The NHA followed up with the Department of Public Health to provide our senior residents and other senior program participants with COVID-19 booster shots to be administered by a local pharmacy through the Department of Public Health. These were to be administered here in our community room where the initial COVID shots were given. After contacting those persons who received their initial shots here, we became aware that most of those program participants had already received their booster shots elsewhere. This resulted in only a few needing to receive their booster shots. The number of program participants who remained interested did not meet the required number for the Department of Public Health to administer the event in our community room. Therefore, NHA referred the program participants to the Hudson State Service Center.

**COVID-19 Vaccinations:**

As a follow-up to the November 10, 2021, New Business presented under IX (A) - From a Commissioner- An inquiry was made as to the need for vaccinations for personnel and/or contractors who perform services for NHA and how this related to the federal mandate for vaccinations.

NHA has not adopted any official protocol and the Department of Public Health did not provide any suggestion, given our (staff) size. A representative from the Public Health made reference to a policy being in place for state workers. She was also aware of the Federal requirement for employers who employ 100 or more employees to have a policy in place.

In your board packets, NHA provided a copy of information from the U.S. Department of Housing and Urban Development regarding vaccinations. Copies provided:

- April 7, 2021, guidance for PHAs on Supporting Access to COVID-19 Vaccinations for Residents and Staff.
- November 24, 2021, providing background on the September 9, 2021, President Biden signed two Executive Orders in support of his COVID-19 Action Plan.

This agenda item will be discussed later in the meeting.

**CARES ACT Operating Supplemental Funds:**

NHA has complied with the U.S. Department of Housing and Urban Development of expending all the Public Housing CARES ACT Funds. The deadline for fully expending these funds expired on December 30, 2021.

Recently, on November 19, 2021, NHA assisted the six (6) public housing families who reside in units with oil burning furnaces with a one-time gift of heating oil made possible through these funds. NHA filled all oil tanks to capacity. NHA has not received any feedback from any of those residents of having received the oil.

By this time last year, we received several no heat calls from tenants whose units were heated by oil. However, since the one-time oil delivery NHA provided in November, we have received no requests for maintenance regarding a no heat call.

**Newark Area Welfare Committee (NAWC):**

As the holiday's approach, NHA was contacted by a representative from the Newark Area Welfare Committee informing NHA that the committee will be mailing ACME gift cards to all of NHA's 54 Low Income Public Housing families. The 56 families at Alder Creek will also be receiving the ACME gift cards in place of being provided food boxes for Christmas due to the continued concerns of gatherings being affected by COVID-19. The gift cards will be mailed by December 15, 2021

**COVID-19 Office Procedure Protocol:**

NHA implemented a generic office procedure given the size of the agency and staffing levels. These safety procedures were put in place after the office was made aware of positive COVID testing and lingering symptoms from tenants, landlords, vendors, and participants.

**Newark Area Welfare Committee (NAWC):**

The Newark Area Committee continues to provide resources for our program participants in need. The NAWC was contacted by NHA to provide financial assistance to a tenant who participates in our Low Income Public Housing Program. The tenant was behind in rent for the month of November and requested assistance with her December rent due to her working less hours because of health reasons. The rent was paid by the NAWC. There has been no acknowledgement from the tenant of the receipt of the assistance.

**Newark Arts Alliance:**

The Newark Housing Authority was contacted by a representative from the Newark Arts Alliance inquiring as to whether any of our participating families of the Public Housing Program (with children) would like to receive an Art To Go packet. After reaching out to our families, we have a total of 19 Art To Go Packets being delivered to NHA for families to pick up.

**Increase in Affordable Housing Options:**

Southgate Apartments, who are under new owners and management, recently informed NHA that they will continue to accept our Section 8 Voucher participants.

**CDBG Funds:**

The Newark Housing Authority received the purchase order from the City of Newark allowing for NHA to request reimbursement for predevelopment cost under the 49th year. NHA was awarded \$12,400 under this grant year.

**NHA Complaint(s):**

The Newark Housing Authority was made aware of some alleged tenant complaints on December 8, 2021 that have not been substantiated. The complaints are allegedly relating to maintenance repairs provided by the agency. This topic will be further discussed under New Business from the Attorney, Mr. Gouge, later on the meeting.

**Housing Manager Position:**

The Newark Housing Authority is pleased to announce that Mrs. Pizzaro from New Castle County Housing Commission will be filling the position of Housing Manager as of January 10, 2021. Mrs. Pizzaro is a seasoned case manager from the County and will bring a great deal of experience to our agency. We are excited to have her join our team.

**Maintenance Position:**

The Newark Housing Authority is currently advertising for its vacant Maintenance position. The person can be an individual or a contractor. The position was posted on our website and placed in the News Journal. NHA starts the vetting process on December 28th and hopes to fill the position as quickly as possible. In the meantime, NHA's list of contractors is filling in to meet the maintenance requests reported by tenants or deficiencies observed by NHA staff.

**Issuance of Section 8 Vouchers:**

NHA held a Section 8 briefing on Thursday, October 28th and issued four (4) vouchers. The feedback NHA has received from the voucher recipients is that there is nothing available within our jurisdiction. If contact was made with a property owner/landlord, some voucher recipients have been told the property has been reserved for students. As a result, two (2) families have requested to port into neighboring housing authorities' jurisdiction while the remaining two (2) have requested an extension on their vouchers. All four (4) requests were granted.

NHA will be inviting additional families off the Section 8 waiting list in an attempt to improve our utilization rate. We are currently below the 95% utilization and HAP disbursement to comply with indicator

#13 under the Section Eight Management Assessment Program (SEMAP). This non-compliance is due to program participants being absorbed or participants not finding an affordable unit in our jurisdiction.

In light of this, HUD Has provided PIH Notice 2021-34 that advises PHAs that they may apply for certain regulatory waivers. On December 6, 2021, NHA submitted a waiver request for the submission of a SEMAP score for FYE March 31, 2022 as well as a waiver for the term of the voucher.

With the extension on the term of the voucher, this request may provide a family with a greater opportunity in receiving responses and resources from landlords and agencies. This request was made in an attempt for voucher holders to receive assistance in leasing in our jurisdiction beyond the normal time issued on the voucher.

Commissioner Ashley commented that she has seen a 3-bedroom house with a 4-person rental permit listed for \$2400 a month. She added it's no surprise that there exists an issue with affordability in our jurisdiction.

The Chairperson asked for the approval of the report from Executive Director for the months of November and December 2021.

Commissioner Brown made a motion to approve the Staff Reports. The motion was 2nd by Commissioner Ashley.

Aye 6 (Ms. Ashley, Mr. Brown, Mr. Tillman, Mrs. Forman-Gaines, Ms. Lewis and Mr. Anderson)  
Nay 0  
Abstain (Mr. Anderson)  
Motion passed, Vote: 6 to 0

## **V. Committee Reports:**

The Chairperson called for the report from the Policies, Procedures, and Compliance & Personnel Committee.

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

#### **(a). Personnel: Executive Session (Closed to the Public - Personnel) Executive Session meeting held at 4:30 PM on November 10th prior to the Regularly Scheduled Commissioner Meeting**

The Chairperson of this sub-committee, Mr. Brown, was present for this committee update. He acknowledged an Executive Session having been held. He informed that the proposed resolutions would need to be revised.

The Chairperson called for the report from the Development Committee.

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



The Chairperson asked if there was anything to be added in addition to the presentation made by Mr. Kelly. Mrs. Jordan responded, “No. Mr. Kelly’s update on the proposed plans will suffice.”

The Chairperson called for the report from the Finance Committee.

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

**(a) Monthly Financials:**

The Chairperson of this sub-committee, Ms. Ashley, was present for this meeting. She referred to the Budget vs. Actual report for the period covering April 2021 – November 2021. She reviewed the report and did not see anything out of the ordinary. She commented, “We are well within the budget. Our revenue exceeds our expenses so that’s good. We have utilized about 68% of the annual budget.”

Ms. Ashley moved on to the reporting of the Section 8 report. This report also shows that income we are reporting is more than our expenses.

Ms. Ashley commented that she liked the decision made to use some of the CARES Act Funds to help our tenants.

Ms. Ashley moved on to the Proposed Operating Budget for FYE 2023, she referenced that the proposed budget is very similar to that of last year. The funding breakdown is as follows:

LIPH budget:	\$ 513,555
HCV:	\$ 729,067
CFP:	\$ 75,560
Business Activities:	\$ 33,333
Total Budget	\$1,351,515

The Chairperson of the board inquired into the expense relating to maintenance. Ms. Ashley stated that we outsource our maintenance. She asked if the budget cost for maintenance for contracting services was separate or included in maintenance provided by a staff person depending on how the position is filled.

Mrs. Jordan responded, “It’s one or the other not in addition too.”

Commissioner Anderson asked, “What are Resident Activities.”

Mrs. Jordan responded, “Its funds budgeted for the residents, such as gift cards at Christmas.”

Commissioner Forman-Gaines asked, “What are Business Activities?”

Mrs. Jordan responded, “Funds recognized from the ground lease.”

Mrs. Jordan added that the committee is introducing the proposed budget tonight and is not seeking approval. However, next month the committee will ask for the budget to be approved.

The Chairperson asked if there were any more questions or comments.

The Chairperson called for the report from the Strategic Planning Committee.

**D. Strategic Planning Committee – Chairperson (Ms. Lane):**

No report from this committee.

**VII. Attorney Issues:**

Mr. Gouge had no attorney issues to report.

**VIII. Old Business:**

A. From the other Commissioners:

\*Discussion regarding “In person BOC Meetings”

The Chairperson of the Board stated that due to an increase in COVID cases, she is asking that this agenda item be tabled for a few months. She asked if there were any objections. There were none.

\*Discussion regarding Vaccinations (BOC, Staff, Vendors)

There was no action taken on the agenda item.

B. From the Executive Director:

\*Board Resolution No. 408 Approval of the 2022 Annual Plan/5-year Plan and the use of the CFP 5-Year Action Plan for the period covering 2022 – 2026.

Before a motion was made to approve the plans, Commissioner Anderson commented that it was his understanding that we will lose points on the plan if we do not have a RAB. He inquired into the status of the RAB. Mrs. Jordan responded that an agency does not lose points for not having an active RAB. Although, HUD encourages one to be formed. Mrs. Jordan then referred to the annual plan with one of the listed goals for NHA as being the revival of the RAB. In order to do that, there must be interest to fill all seats on the RAB.

The Chairperson asked for a motion to approve the 2022 Annual Plan/5-year Plan and the use of the CFP 5-Year Action Plan for the period covering 2022 – 2026. Commissioner Forman-Gaines made a motion to approve these meeting minutes. The motion was 2nd by Commissioner Brown.

Aye 6 (Ms. Ashley, Mr. Brown, Mr. Tillman, Mrs. Forman-Gaines, Ms. Lewis and Mr. Anderson)  
Nay 0  
Motion passed, Vote: 6 to 0

C. From Legal Counsel: None.

**IX. New Business:**

A. From Commissioners:

The Chairperson of the board reported that she was contacted by a City of Newark council person for a one-on-one meeting regarding maintenance issues involving NHA. The Board Chair suggested presenting the matter before the full board. She was informed that a discussion was held with several board members prior to and asked that the Council person refrain from doing so. The Chairperson stated the issues presented by the Councilperson were said to be an urgent matter. Therefore, to accommodate her, a meeting was held. During the meeting, those in attendance asked the Councilperson for specifics. None were provided by her and have not been to date.

B. From the Executive Director:

\*Discussion regarding dissemination of Board Members Contact and Mailing Address.

Commissioner Anderson stated that he had asked for this information. He also stated that he has no problem providing his phone number to the other commissioners and it's ok if they do not want to provide their addresses. Commissioner Anderson acknowledged receiving his "Board of Commissioners Policy and Procedural Manual", but the manual did not include phone numbers for the commissioners.

It was the consensus of the Commissioners that phone numbers are to be provided to New Commissioners and will be included in the Procedure Manual provided to all New Commissioners.

\*Discussion regarding dissemination of property addresses for Section 8 program properties.

Commissioner Anderson stated that had he asked for this information. He added, "Are we supposed to encourage more landlords to participant in the program? How are commissioners supposed to do that without knowing what properties are already listed in the program?"

Commissioner Tillman said, "This is not something that a commissioner does."

Commissioner Forman-Gaines suggested that if anyone knows of landlords who are interested in listing their properties; have them contact the staff at NHA.

Commissioner Tillman referred to the faulty smoke detectors at the Philadelphia Housing Authority and wanted to know what polices are in place for us in addressing such issues.

Mrs. Jordan responded considering the recent tragic incidents in the news related to smoke detectors at the Philadelphia Housing Authority and a faulty electric space heater in New York, we did a mass mailing to all our program participants addressing both concerns.

Regarding the smoke detectors, we informed our tenants to report any chirping and or malfunctioning smoke detector promptly. The lease addendum includes language that smoke detectors are not to be tampered with including the removal of the smoke detector and/or its batteries or disabling them in any manner. Doing so will create a health and safety violation. The violation includes a written warning, fines, and the process to terminate the lease if the violation is repeated.

Regarding space heaters and supplementary heating sources such as electric heaters, kerosene heaters, space heaters etc., they are strictly prohibited. The use of ovens is not allowed to supplement the heat source. Space heaters are permitted if supplied by NHA for maintenance related issues. Residents must use the dwelling unit's heating system as the unit's primary source of heat.

The Chairperson commented, "Although notices were mailed for fire safety prevention, in our business the removal of a smoke detector because it's going off while cooking is not uncommon. Therefore, we need to make sure they are working."

Mrs. Jordan responded, "We perform Preventative Maintenance monthly which includes generating a work order, visiting the units, testing the smoke detectors, checking GFI's, checking thermostats and a visual check of any leaks or electrical issues in close proximity to the areas where the smoke detector are located." This is recorded on a checklist that accompanies the work order.

Mrs. Jordan added that our tenants were notified that Preventative Maintenance will resume in February due to the maintenance contractor's sudden separation.

Commissioner Foreman-Gaines responded, "We need to check the smoke detectors before then."

Commissioner Anderson asked if all our units have fire extinguishers.

Mrs. Jordan responded, "Yes."

Commissioner Anderson asked how often are they inspected.

Mrs. Jordan responded that the fire extinguishers are inspected annually by an outside contractor.

C. From Legal Counsel:

Mr. Gouge reported that a debt action was filed against a former tenant who left owing money for damages. A default judgment was filed as of December 10th.

Mr. Gouge also reported that we sought to evict a current tenant and won all grievance hearings. A Justice of the Peace hearing was held, and the judge agreed with our decision. The participant is represented by Legal Aid. An appeal was filed for trial de novo. The trial is tentatively scheduled for February 7<sup>th</sup>, 2022.

Mr. Gouge also provided the board with an update on the maintenance complaints. He informed that he attended the meeting with Mrs. Lane and Mr. Brown at the request of the council person because it was believed and presented to be an urgent matter. Mr. Gouge stated. "A request was made for a meeting with the full board but that would have required a public posting seven days in advance of the meeting to comply with FOIA. In addition, the meeting emails were exchanged regarding the concerns raised. A request was made of the Council person for details of the concerns relating to maintenance. Nothing has been received. The Council person was invited to this meeting and declined to attend. Without specifics there is really nothing we can do. I consider this to be a moot issue until we receive some specifics."

**X. Visitors and/or Petition:**

The Chairperson opened the floor to our visitors. A commissioner had acknowledged that someone had joined the meeting but logged off.

**XI. Executive Session:**

An Executive Session (Closed to the Public - Personnel) meeting was held at 4:30 PM on November 10th prior to the Regularly Scheduled Commissioner's Meeting.

**XII. Adjournment:**

The Chairperson asked for a motion to adjourn the meeting. Mr. Brown made a motion for the meeting to adjourn. The motion was 2<sup>nd</sup> by Mrs. Forman-Gaines.

Aye 6 (Ms. Ashely, Mr. Brown, Mr. Tillman, Mrs. Forman-Gaines, Ms. Lewis and Mr. Anderson)  
Nay 0  
Motion passed, Vote: 6 to 0

**Meeting adjourned at approximately 6:55 PM**

**Minutes Submitted by: Marene M. Jordan, Executive Director**