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**Newark Housing Authority  
Board of Commissioners  
March 8, 2023**

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

**Opening:**

The regular meeting of the Board of Commissioners was called to order sharply at 5:02 PM by the Chairperson, Nikki Lane.

**I. Roll Call:**

The Chairperson made a request for Roll Call. Board of Commissioners present: Nikki Lane, Emile Brown, Paul Tillman, Jerry Clifton, Abeo Lucas, and Keith Moone Sr. Marene Jordan (Executive Director) and Attorney Donald Gouge Jr. were also present.

Absent: Marguerite Ashley (excused Absence)

**II. Visitor and/or Petition:**

The Chairperson acknowledged that no visitors were present.

**III. Approval of Minutes:**

- (a). Meeting Minutes from January 11, 2023
- (b). Special Meeting Minutes from January 27, 2023
- (c). Special Meeting Minutes from February 17, 2023
- (d). Executive Session Meeting Minutes from January 11, 2023
- (e). Executive Session Meeting Minutes from December 14, 2022
- (f). Executive Session Meeting Minutes from September 14, 2022

The Chairperson asked if there were any questions or comments regarding the minutes. Since there were none, she made a motion to approve the meeting minutes from January 11, 2023. The motion was 2<sup>nd</sup> by Commissioner Brown.

Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)  
Nay 0  
Motion passed, Vote: 5 to 0

The Chairperson asked for a motion to approve the special meeting minutes from January 27, 2023. Commissioner Clifton made a motion to approve these minutes. The motion was 2<sup>nd</sup> by Commissioner Tillman.

Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)  
Nay 0  
Motion passed, Vote: 5 to 0

The Chairperson asked for a motion to approve the special meeting minutes from February 17, 2023. Commissioner Clifton made a motion to approve these minutes. The motion was 2nd by Commissioner Tillman.

**Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)**  
**Nay 0**  
**Motion passed, Vote: 5 to 0**

The Chairperson asked for a motion to approve the Executive Session meeting minutes from January 11, 2023. Commissioner Clifton made a motion to approve these minutes. The motion was 2nd by Commissioner Tillman.

**Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)**  
**Nay 0**  
**Motion passed, Vote: 5 to 0**

The Chairperson asked for a motion to approve the Executive Session meeting minutes from December 14, 2022. Commissioner Brown made a motion to approve these minutes. The motion was 2nd by Commissioner Clifton.

**Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)**  
**Nay 0**  
**Motion passed, Vote: 5 to 0**

The Chairperson asked for a motion to approve the Executive Session meeting minutes from September 14, 2022. Commissioner Tillman made a motion to approve these minutes. The motion was 2nd by Commissioner Clifton.

**Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)**  
**Nay 0**  
**Motion passed, Vote: 5 to 0**

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

##### **(a). Staff Reports from January & February 2023**

The Chairperson asked for the report of the Executive Director for the months of January and February. Ms. Jordan provided the following report:

##### **MARC NAHRO Conference:**

The conference is open for early registration. The conference is scheduled for May 7 – 10 at the Chase Center on the Riverfront in Wilmington, De. Ms. Jordan asked that those interested in attending to let her know.

**Energize Delaware Empowerment Grant:**

The grant submitted on January 6, 2023, to make energy improvements was approved for \$75,000, although we requested \$98,000. The grant will focus on converting 4 units from oil heat to electric heat pump. Should the grant not cover the proposed work, capital funds will be used to fund the remaining work. The work is to begin in May of 2023.

**Delaware State Housing Authority Goes Live with Rent Reporting Pilot Program:**

The program is designed to help low-income tenants build their credit by having their on-time rent payments and on-time utility payments reported to credit bureaus. All our participants were notified of this opportunity to improve their credit and encouraged to participate.

**Housing Manager's Position:**

The Newark Housing Authority welcomed Diana Feliciano to the team. She recently relocated to Delaware from NY. Her background includes being a licensed realtor from NY and having property management experience.

**Issuance of Housing Choice Vouchers:**

The Newark Housing Authority scheduled a briefing for March 23, 2023, for applicants approved to receive a voucher. 10 families will receive vouchers affording them the opportunity to participate in the program.

**Request for Proposals:** Currently NHA is soliciting the services for Appraisal Services for the 16 remaining scattered site properties and Independent Audit Services. Responses are due by the end of March.

**LIHTC Application Preliminary Meeting:**

A zoom meeting was held with representatives from DSHA to introduce our preliminary plans as a joint venture partnership. As part of DSHA's application process, a site tour took place today, March 8, 2023. Representatives toured the grounds and reviewed preliminary site plans.

**HUD Awards \$7.1 Million in Funding to the State of Delaware:**

The Newark Housing Authority will receive \$258,493 in capital funds to make capital improvements. The allocation is pending.

**WHA and New Castle County Expand the Boundaries of the Voucher Program Through MOU Signing:**

The Newark Housing Authority attended the MOU signing of the port pilot program on February 15, 2023, between Wilmington Housing Authority and the New Castle County Housing Authority. This partnership will grant flexibility, minimize the administrative burden of increased paperwork, and streamline the process for landlords. The Newark Housing Authority is expected to join the pilot program as of April 1, 2023 but no date is confirmed.

**City of Newark Planning Department Meeting:** The Newark Housing Authority was invited along with the representative from Ingerman to attend a meeting with the representatives from the planning department. The meeting afforded an opportunity to discuss the GRV redevelopment. The discussion included subdivision, rezoning, parking waiver and the site plan approval process. The city also suggested a site plan that includes 5 stories instead of 4 for the purpose of expanding the project as much as possible.

Another meeting is scheduled for Monday, March 13, 2023 to introduce the plan to State Representatives Ed Osienski and Cyndie Romer. The Executive Director extended an invitation to any board member interested in attending.

The Executive Director asked if there were any questions or comments regarding the staff reports.

Commissioner Clifton inquired as to if notices were sent to new landlords or existing landlords regarding the upcoming issuance of vouchers.

The Executive Director responded, "Phone calls were made to existing landlords." She also mentioned that we had two additional landlords to list their properties in our program.

Commissioner Moone acknowledged that he had recently met with the Executive Director. Part of the discussion involved incentives for landlords. He inquired as to how the incentives would be made available to the landlords.

The Executive Director mentioned a SIP and Social event that was planned for August of 2022 where the incentives proposed by the board would have been discussed. However, the event never materialized because NHA did not receive responses from landlords to proceed with the event. The incentives the board discussed included.

- New landlords who list and lease their properties in the program would receive a \$1,000 bonus.
- Security deposits paid by tenants would be matched if their deposit does not cover full damage caused by them after a move-out inspection is completed.

Commissioner Moone asked how one would know if the damage(s) were tenant related.

The Executive Director responded, "The landlord would have to provide documentation that could verify that the damage was caused by the tenant and was beyond normal wear and tear." The Executive Director added, "We also discussed how the signing bonuses would affect new landlords, existing landlords and landlords who participated in the program who removed their listing(s) and relisted them."

Commissioner Moone asked if this is something we plan to do or have implemented.

The Executive Director responded, "That would be a board decision."

Chairperson Lane congratulated the Executive Director on filling the position of Housing Manager.

Chairperson Lane asked if the property management experience of the new housing manager was related to market rate for affordable housing.

The Executive Director responded that her property management experience is related to market rate units. The Executive Director added, "She is currently in training for the Housing Choice Voucher Program."

Chairperson Lane inquired as to where the training is being held.

The Executive Director responded that the training is a webinar.

Chairperson Lane inquired into the two families that we relocated from 37 & 39 West Cleveland Avenue and as to whether they leased up with an existing landlord.

The Executive Director responded, "One did and the other was ported into New Castle County's jurisdiction."

The Chairperson inquired as to how the RFP's were being solicited.

The Executive Director responded that the RFP's were emailed to former responders, uploaded onto the website, and will appear in the Newark Post.

The Chairperson asked the name of our current auditor.

The Executive Director made her aware that Barbacane, Thornton & Company were the current auditors.

Commissioner Clifton asked if we could post the RFP onto the State's website to expand the responses we could receive.

The Executive Director responded that she didn't know and that currently we share flyers and events but being that this a procurement solicitation, she was not sure.

The Chairperson asked if there were any other questions or comments regarding the staff reports. Since there were none, she called for a motion to accept the reports from January and February. Commissioner Brown made a motion to approve the reports. The motion was 2<sup>nd</sup> by Commissioner Clifton.

**Aye 5 (Brown, Tillman, Clifton, Lucas, and Moore)**

**Nay 0**

**Motion passed, Vote: 5 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):**

The Chairperson of this sub-committee, Mr. Brown, was present for this committee update. There was no report from this committee. However, Commissioner Brown did acknowledge the hiring of a Housing Manager.

The Chairperson called for the report from the Development Committee.

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

The Vice-Chairperson asked Ms. Jordan to provide the report for this committee. Before a report was given, Ms. Jordan inquired as to if any board member would be interested in chairing this committee.

Commissioner Moone expressed interest but needed details of what is covered by the committee.

The Chairperson asked Ms. Jordan to provide a scope of work for this committee for the next board meeting so that it can be reviewed.

**(a). Committee Update:** Ms. Jordan reported the following:

**Application #DDA0011025 for the Proposed George Reed Village II:**

George Read Village Funding update:

- The DEMA office requested and received an updated worksheet for the \$3M in the ARPA funding set-a-side for George Reed Village. The worksheet includes the language of a firm letter of commitment needed as a part of the LIHTC application due April 28th.
- The team has a follow-up meeting tomorrow, March 9, 2023, to discuss the terms of the developer agreement. We did receive some opposition regarding the board's request to serve as a co-manager. We may have to sign the agreement without the role of a co-manager/management agent until the compliance period ends. At that time, we will have onsite training that may provide leverage in acquiring the property after the 15-year compliance period ends but that would be up to the investors.
- A representative from Ingerman is scheduled to attend our board meeting in April to present the proposed plan for redevelopment.

**Application #DDA0011618 Section 18 Disposition Application to Sell Two Scattered Site Rentals:**

Scattered Site Properties Update:

- We have issued an RFP to select an appraisal firm to complete updated appraisals for the scattered sites. The last appraisal was completed in 2019. HUD will require an updated appraisal to include with the application to dispose of the properties.
- HUD is also requiring us to complete an environmental review to dispose of the properties. The reviews we completed were for use of capital funds as outlined in our 5-year action plan.

Mrs. Jordan asked if there were any questions related to the report from the development committee. Since there were none, 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 not present for this meeting. However, the Chairperson asked Ms. Jordan to provide the report.

The Executive Director referred to the budget vs. actual report for the LIPH Program. She referred to the income section of the report, specifically budget line item 3692.70 CFP Operations Transfer in. She mentioned being alerted by HUD of the approaching obligation deadline date for capital fund grant 2021. The obligation end date for this grant was February 22, 2023, and we were less than 90% of the grant being obligated. To avoid the possibility of being recaptured, the funds must be disbursed to be considered fully obligated. A draw was made in the amount of approximately \$118,000. We are currently showing 70% of the grant being obligated. We requested an obligation waiver for the remaining 20%.

The net income for this report is \$123,373.19, respectively. Other than that, the reports appear to be in line with prior reports.

Commissioner Moone asked if these funds could be used to incentivize landlords.

The Executive Director responded, “No. HUD does not allow commingling funds. Operating Subsidy and Capital Funds are restricted to the Public Housing program; and Housing Assistance Payments and Admin fees are for the Housing Choice Voucher Program.”

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

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

There was no report from this committee.

**VI. Attorney Issues:**

There were no attorney issues to report.

**VII. Old Business:**

- A. From the other Commissioners: None
- B. From the Executive Director:
  - (a). Write-offs FY 31/31/2023; Resolution #415 (This was incorrectly stated on the agenda and will be discussed under New Business from the Executive Director.
- C. From Legal Counsel: None

## VIII. New Business:

- A. From Commissioners: The Chairperson of the Board informed the Board that she will be making a request to have Commissioner Tillman consider chairing the finance committee. Some details of liability coverage will need to be confirmed. Once we get those details, Commissioner Tillman will get back to us. We may need to hold a special meeting as Commissioner Ashley's letter of resignation is effective March 31, 2023.

Attorney Gouge mentioned having a conversation with the Executive Director to verify if there is a policy for Errors and Omissions.

The Executive Director confirmed that the agency has Public Officials Liability Insurance for Commissioners but will need to verify the difference in the coverage with the insurance agent.

Attorney Gouge referred to the By-laws for Commissioner Tillman to carry out the duties of a check signer. He will need to be nominated and then accept the role of Vice-Chairperson. Currently the By-laws read that the Chair, Vice-chairperson and the Secretary/Treasurer are the check signers.

Attorney Gouge asked the Chairperson to consider becoming a backup check signer if the Vice-chairperson is not available. The checks require two signatures.

- B. From the Executive Director:
- (a). Nomination of Vice-Chairperson of the Board of Commissioners – Tabled; No action taken.
  - (b). Nomination of Chairperson of the Finance committee – Tabled; No action taken.
  - (c). Discussion of upcoming board meetings (Virtual vs. In-Person)

The Chairperson of the Board opened the floor to each commissioner to hear their thoughts on how we should meet moving forward. After a brief discussion, it was the consensus of the Board to alternate meetings. Attorney Gouge asked for a commissioner to make a motion for the record. Commissioner Clifton made a motion for the Newark Housing Authority to have rotating board meetings. The motion was 2<sup>nd</sup> by Commissioner Tillman.

Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)  
Nay 0  
Motion passed, Vote: 5 to 0

- (d). Discussion of the order of agenda items:

The Chairperson of the Board opened the floor to each commissioner to hear their thoughts on the order of the agenda items; specifically, the Visitors and/or Petition agenda item.

Chairperson Lane was in favor of having this agenda item listed towards the bottom of the agenda to allow visitors to make comments on the business of the authority conducted during the meeting.



Commissioner Clifton preferred the agenda item listed as agenda item II to allow visitors to make comments on items that may not be on the agenda because visitors may not want to sit through an entire meeting before being able to speak.

Commissioner Tillman commented that when we have Executive Sessions, we don't know how long the meeting will be closed to the public. Therefore, in the meantime, visitors are waiting. He agreed to have the agenda item listed at the beginning of the meeting to address this concern.

Commissioner Brown suggested having some flexibility with the agenda when we have visitors or when we are holding an Executive Session.

Commissioner Lucas was in favor of having the agenda item placed at the top of the agenda.

Commissioner Moone concurred with the suggestion made by Commissioner Brown of the agenda being flexible but preferred the agenda item being placed at the beginning of the agenda.

Chairperson Lane afforded the Executive Director an opportunity to express her opinion.

The Executive Director thanked the Chairperson for giving her an opportunity to voice her opinion. The Executive Director responded that she was in favor of having flexibility of where this agenda item may be placed on the agenda and in doing so, we will be able to accommodate all the concerns raised by the commissioners.

Commissioner Clifton asked "counsel" if rearranging the agenda at the time of a meeting would be an issue.

Attorney Gouge responded, "No."

The Executive Director commented that we have done this in the past when accommodations needed to be made at the last minute.

Attorney Gouge asked for a motion for the record.

Commissioner Clifton made a motion that the Visitors and/or Petition agenda item be listed as agenda item II with the board having the ability to be flexible to rearrange the order. The motion was 2<sup>nd</sup> by Commissioner Tillman.

Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)

Nay 0

Motion passed, Vote: 5 to 0

**(a). Old Business from the Executive Director**

- Write-offs FYE 3/31/2023; Resolution #415

The Executive Director referred to the resolution. The write-offs cover the former debt owed from former tenants for the period covering April 1, 2022 – March 31, 2023. The write-offs for this period totaled \$16,665.60 with most of the debt being reported from other balances not for non-payment of rent. The balances resulted from the removal of items left behind and damage(s) caused by former tenant(s).

The Executive Director commented on one former tenant where the money owed is the result of unpaid damages caused by a fire and breach of a repayment agreement. The Director did mention how the balance owed for this period is unusually higher than in the past.

Commissioner Clifton inquired regarding 4 Patrick Henry where the rent balance is approximately \$2500.

The Executive Director responded, “The rent went unpaid for several months before we were able to get judgement and possession.”

Attorney Gouge added that since COVID the court cases are taking 90 or more days to be scheduled. He mentioned that is not the agency’s fault if a tenant can remain in the unit. We cannot control the courts.

C. From Legal Counsel: N/A

**X. Adjournment:**

The Chairperson asked for a motion to adjourn the meeting. Commissioner Brown made a motion for the meeting to adjourn. The motion was 2<sup>nd</sup> by Commissioner Moone.

Aye 5 (Brown, Tillman, Clifton, Lucas, and Moone)  
Nay 0  
Motion passed, Vote: 5 to 0

**Meeting adjourned at approximately 6:20 PM**

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