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**Newark Housing Authority  
Board of Commissioners  
August 9, 2023**

**Summary of Meeting (In-Person Meeting) Minutes**

**Opening:**

The regular meeting of the Board of Commissioners was called to order at 5:00 PM sharp 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 and Kelly Tompkins. Marene Jordan (Executive Director) and Attorney Donald Gouge Jr. were also present.

Absent Commissioners: Abeo Lucas and Keith Moone Sr.

**II. Visitors and/or Petitions:**

The Chairperson acknowledged that we did not have any visitors.

**III. Approval of Minutes:**

**(a). Meeting Minutes from June 14, 2023**

The Chairperson asked if there were any questions, comments, or revisions regarding the minutes. Since there were none, she asked for a motion to approve the meeting minutes from June 14, 2023. Commissioner Brown made a motion to approve the minutes. The motion was 2<sup>nd</sup> by Commissioner Clifton.

**Aye 4 (Tillman, Brown, Clifton and Tompkins)**

**Nay 0**

**Motion passed, Vote: 4 to 0**

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

**(a). Staff Reports from June and July 2023**

The Chairperson asked for the report of the Executive Director. Mrs. Jordan proceeded with the report for the month of June:

**(a). Tour of Alder Creek:**

The Newark Housing Authority was provided with a tour of Alder Creek on Tuesday, June 27, 2023. The tour was inclusive of the community room and two (2) vacant units. As a result of the tour, a list of recommendations for the redevelopment of George Read Village was created. The list included the following:

- No carpet throughout the units.
- The location of the circuit breaker box should not be in a sleeping area.
- No tiled walls in the bathroom. We prefer quality tub surrounds.
- We prefer a more updated modern appliance package with additional cabinets & a higher quality countertop.
- Ground floor units should have railings on patios where there is a drop off.
- The Community Center should have a kitchenette (sectioned off) with wall cabinets and a full-sized refrigerator.
- There should be adequate lighting throughout the development.

The Chairperson asked if Ingerman provided an explanation as to why some components of the timer switch (located in the utility room) and used to override the photocell timer for lighting is partially underground.

Mrs. Jordan responded, “No”. She stated that she will follow up.

**CDBG Application:**

The Newark Housing Authority (NHA) received notification of the next round of Community Development/Revenue Sharing funding for consideration under the 50th year. Applications are due to the City of Newark by Wednesday, August 23, 2023. As of right now, NHA does not have any plans to submit a request for CDBG for this cycle.

**Prior Years CDBG Funding Update:**

NHA was approved for \$62,565.06 under the 48th grant year. NHA submitted expenses for this grant and received full reimbursement. The funds for this grant year were used for the following:

- Capital improvements needed after a tenant moved out of a rental property.
- Installation of a new entry door.
- Installation of new windows at two rental properties.
- Repair of gutters and down spouts at two rental properties.
- Conversion of an oil heating furnace to an electric heat pump at one rental property.
- Power washing of all and installation of shutters on some GRV scattered site rentals.

NHA was approved for \$53,820 under the 49th grant year. These funds cover the period of July 23 – June 2024.

**Annual Plan Public Hearing – Significant Amendment:**

The Newark Housing Authority scheduled a Public Hearing on Tuesday, June 27, 2023, to allow for public comments on the FY 2022 Annual Plan approved by HUD. There were no attendees. However, the amendments included our expectation that NHA will need to project base more than 20% of our HCV program. Per the HOTMA guidance notice act of 2016, we anticipate qualifying for an additional 10% of authorized units that will accommodate our redevelopment plans. The plan for phase I includes 36 PBVs that are designated for elderly persons, where supportive services will be provided.

The supportive services will be provided by the Ingerman Group and will include the following:

- Financial Counseling
- Public Benefit Counseling/Apartment Living
- Job Training

NHA will seek board approval of a Board Resolution for this Significant Amendment later during the meeting.

Commissioner Tompkins inquired as to where will the social services program be provided, and if it will require mandatory participation of the residents.

Mrs. Jordan responded that the supportive services provided will be under the direction of our developer partner and participation would be voluntary. The services will be provided on site.

**Housing Choice Voucher Waiting List Invites:**

NHA held a briefing in March of 2023 and some of those families have leased up under the MOU. NHA plans to hold another briefing on August 30, 2023, and issue vouchers to eligible families. Mrs. Jordan added that the market has not stabilized since COVID and families are still asking for extensions to avoid expiration (of vouchers). Requested extensions have been approved. NHA will continue to work with families to assist during the search for an affordable unit.

Mrs. Jordan proceeded with the report for the month of July 2023.

**(b). Resident Meeting:**

The Newark Housing Authority held a General Information Meeting with the Public Housing tenants on July 26, 2023. The meeting provided an overview of the redevelopment of George Reed Village. Specific topics discussed were:

- Developer Partner
- LIHTC 9% Award
- Approval Process
- Local and Statewide Support

- Preliminary site and floor plans (current unit count vs. unit count after construction)
- Relocation of families in good standing at the time relocation begins.  
(Units effected by demolition in Phase I)
- Amenities

The meeting allowed for resident engagement. Some of the questions asked by the residents could not be answered because they were specific to the site plans that were not available. However, relocation continues to be a topic that remains a concern for the agency. We will continue to explore all available options for temporary relocation of the families affected by the redevelopment.

Attending the meeting were: Commissioners P. Tillman, E. Brown, and K. Moone. City Councilwoman, Corrin Ford also attended.

Mrs. Jordan asked Commissioner Tompkins if she was aware of any organization that maybe able to assist in providing temporary housing for the relocation of residents impacted by the redevelopment of George Reed Village.

She suggested the Hope Center.

The Chairperson mentioned she would contact U.D. to inquire if they would be able to assist.

**Continuation of the HUD Roundtable Discussion with All Five PHAs to Discuss a Centralized Waiting List:**

DSHA Director Eugene Young offered to provide a location for this follow-up meeting. A date is scheduled for August 23, 2023. The location is TBD. The HUD team (HUD Regional Administrator Heckles, Public Housing Director Hawkins, and the DE field office staff) will get a representative from Massachusetts NAHRO to join us to discuss how it is operating its Statewide list.

Mrs. Jordan mentioned a major concern would be to see how the preferences for each housing authority were ranked during the statewide merger in Massachusetts if preferences were available for each agency in that state.

The Chairperson had some concerns about the centralized waiting list and expressed interest in hearing the report after the August 23, 2023 meeting.

**NAHRO 2023 National Conference:**

NAHRO has released the schedule for the 2023 National Conference. This year the conference & exhibit will be held in New Orleans, LA. The dates for the conference will be October 6th – October 8th. If any commissioner would like to attend the conference, please let Ms. Jordan know. She would like to take advantage of the early bird registration to be completed by August 23, 2023.

The Chairperson inquired as to which commissioners have expressed interest in attending. Mrs. Jordan acknowledged that Commissioner Brown and Moone would like to attend.

Commissioner Tillman asked Mrs. Jordan to share the link for the conference.

Commissioner Clifton asked for the dates for the conference.

Commissioner Brown shared the dates for the conference as being October 6<sup>th</sup> – 8<sup>th</sup>.

**City of Newark Council Meeting July 17, 2023:**

During the City Council Meeting, a discussion took place regarding the property maintenance codes. A suggestion was to make mandatory yearly inspections of all apartments in the city. Currently, if a complex has more than 15 units, the city does not inspect them. Although NHA provided a statement for the record in support of annual inspections, there is opposition from the NLA. NHA's inspector has failed unit inspections because of "life threatening" deficiencies such as:

1. Smoke detectors: missing, improper location of or not functioning properly.
2. GFCIs in the bathroom/kitchen near water sources: missing or test positive for not being grounded.
3. Hot/Cold water diverters or nozzles installed improperly/reversed.

NHA's reasoning to support inspections at apartment complexes is that this would help to reinforce our annual inspections where we have seen an increase in deficiencies.

Mrs. Jordan mentioned that having exterior inspections may not be an issue, but interior inspections would be a violation of a renter's 4<sup>th</sup> amendment rights if they were mandatory. Mrs. Jordan noted that there are some landlords who oppose the inspections for various reasons but for the Newark Housing Authority it would reinforce compliance.

Commissioner Tompkins did not understand why landlords would oppose an inspection that would benefit the overall safety of the property.

**(c). HUD Releases Section 8 Management Assessment Program (SEMAP) score for the fiscal year ended 3/31/2023:**

NHA received its official report of our SEMAP score for FYE March 31, 2023. Periodic updates were provided at the board of commissioners' meetings. NHA's SEMAP score is 85%. Thus, reporting the Authority's performance rating as Standard.

Since NHA failed indicator #13, the SEMAP regulation requires NHA to address the failed indicator by requiring quarterly reporting to HUD on all failed indicators until it's resolved.

In the board packets, Commissioners were provided with the Corrective Action Plan submitted to HUD with an estimated completion date of December 31, 2024. For the NHA to reach the performance goal

outlined in the attached Corrective Action Plan, NHA will need time to comply with indicator #13 in retrospect to the market's instability and unreasonable contract rents that are unaffordable for program participants. Not to mention administering federally funded programs in a college town.

Prior to HUD issuing their letter, NHA had taken appropriate corrective action to comply with indicator #13. Recently, NHA was extended an opportunity to partner with Wilmington Housing Authority and New Castle County Housing Authority under their Port Pilot Program in May of 2023. NHA took advantage of this opportunity and signed on as a participating agency. Since the signing of the MOU, NHA has successfully leased three (3) families under the Port Pilot Program.

Commissioner Clifton expressed his opinion of the Executive Director as "doing all she can do to comply with HUD's requirements". He felt, in part, that HUD does not provide enough resources to help families transition off the program.

Mrs. Jordan stated, "There are programs that encourage self-sufficiency, but some participants fear the unknown of having a loss of income and not being afforded the opportunity of having the rent lowered."

Commissioner Tillman added, "The MOU is working as it's been reported that there are lease-ups in all three jurisdictions."

The Chairperson asked how many of our voucher holders have leased-up under the MOU.

Mrs. Jordan responded that there are 3 with the possibility of another.

Commissioner Tillman asked where the 3 had leased up.

Mrs. Jordan responded, "1 in New Castle County and 2 in Wilmington."

Commissioner Tompkins did not understand why vouchers are not being accepted.

Mrs. Jordan responded, "Some landlords do not like the inspection protocol that is required by HUD. Some think it's too stringent."

The Chairperson asked if there were any questions regarding the staff reports. Since there were none, she asked for a motion to approve the staff reports for the month of June and July 2023. Commissioner Clifton made a motion to approve the minutes. The motion was 2nd by Commissioner Tillman.

**Aye 4 (Tillman, Brown, Clifton and Tompkins)**

**Nay 0**

**Motion passed, Vote: 4 to 0**

## **V. Committee Reports:**

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

### **A. Report of Policies, Procedure, 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, the annual review of the Executive Director will be scheduled within the next few weeks.

The Chairperson called for the report from the Development Committee.

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

#### **Disposition of Remaining 16 Scattered Site Rentals:**

Appraisals are completed. A breakdown for each of the 16 scattered sites was included in Commissioners' packets. From 2019 to 2023 all the property values have increased. A discussion needs to be had to determine the process of selling the properties.

In preparation of the possibility of selling these units (with board approval), and converting from Public Housing to Section 8, NHA and our consultant (CSG) performed some projections. These projections were performed to determine sustainability/longevity of the Housing Authority from current expenses and revenue streams to projections based on management revenues, admin fees and ongoing NHA costs under partnership with Ingerman.

NHA receives Capital Funds and Operating Subsidy for the public housing program. These funds will be phased out over a 3-to-5-year period once all 54 units are converted. NHA will be resilient on revenue streams consisting of management fees, a percentage of cash flow and admin fees. The projection also considered current expenses of NHA vs. expenses that would be paid by the project once redeveloped. The analysis looked at NHA's operations over the next 11 years and shows a positive cash flow meaning sustainability for this period. However, we will need to determine what expenses NHA will carry forward after the transition from owner and property manager to the administrator to George Read Village, Alder Creek, and our traditional voucher program. These expenses may include Pilot payment, utility cost, insurance, maintenance expenses and if NHA would be paying rent. These expenses would have to be discussed in detail and agreed upon as part of the management plan.

Ms. Jordan's recommendation to the board is to hold off on selling the 16 scattered sites for at least 2 years. "This will allow us to continue to use the funds we would otherwise lose and more importantly get a feel for the partnership arrangement with Ingerman. In the meantime, we will apply to HUD for the 36 TPVs for the senior units. We have already received 2 TVPs for the former tenants of 37 & 39 W. Cleveland. As far as the family units are concerned that will be built under Phase 2, NHA will utilize its current budget to fund these vouchers."

“The long-term goal is to sell the 16 scattered site units to the 501(C)3 and for NHA to manage the units under its existing voucher program.”

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

The GRV development team submitted the site plans to the City of Newark Planning Department, and it is currently under review. The final submission to the Planning Department is tentatively scheduled for August 2023 with the department’s recommendation to go before the City Council for a vote.

Mrs. Jordan shared, “George Reed Village II is a Joint Venture partnership and the residents, the Board of Commissioners and NHA, have asked for the following to be included in the site plans:

- Resident private Wi-Fi,
- A walking trail,
- Solar panels,
- Adequate exterior lighting throughout the development
- Balconies

Collectively, we are insisting that some of these items **MUST** be included in the next submission to the city planning department for their final review and recommendation to city council for their vote.”

During the meeting each of the items was discussed and were provided with the following comments.

- Resident private Wi-Fi - the buildings will have Wi-Fi for residents to use in the common area and their units. **Agreed.**
- A walking trail is provided on the current version of the plans. **Confirmation is needed if the current site plans that show a concrete walkway is considered to be the walking trail. If so, a better description of what’s envisioned as a walking trail is needed.**
- Solar panels - the mid-rise building will be solar panel “ready”. **All commissioners present were in unanimous support of the solar panel installation, not just “solar panel ready” on the roof top of the mid-rise. By having solar panels installed it would be cost savings to the residents since they will be responsible for their own usage. The commissioners felt this is a non-negotiable item that must not be a contingency item and agreed that plans need to be modified to show solar panels on the roof top.**
- Exterior lighting - I don’t believe this has been designed yet and will have to be approved by the City of Newark. This will be discussed in design meetings to confirm it’s acceptable to the Team. **OK.**
- Photocell lighting is not acceptable- Photocells are typical to control the times for common area lighting. We need to discuss why this is not acceptable. **The majority of the commissioners**



*present felt the brightness of the lighting source is an issue not the timing of the exterior lighting. This lighting can be used BUT with other exterior lighting that provides adequate brightness throughout the development (building and street).*

*The commissioners would like to understand the statement made about photocell lighting at Alder Creek. The statement is as follows:*

*“They all operate on photocells set to come on from dusk to dawn. There is a timer switch to override in a utility room in one of the buildings, but accessing the timer switch is not easy because it’s connected to components that are partially underground.” Is this a design flaw?*

- *Balconies-Confirmation was made that the architecture and site design can accommodate balconies. Confirmation of the additional was to be determined. The commissioners present felt that if the cost of adding the second-floor patio overlooking Main Street in place of balconies is more cost effective, then a modification to the drawing to illustrate what this would look like needs to be made. The commissioners felt this is a non-negotiable item that is not a contingency item.*

NHA has also requested that the management agreement/operating procedures for George Reed Village be approved prior to closing.

*Note: Commissioner Clifton left the meeting early to attend another meeting.*

### **C. Report of Finance Committee – Chairperson (Mr. Tillman):**

#### **(a) Committee Report - Monthly Financials:**

The Chairperson of this sub-committee, Mr. Tillman, was present at this meeting. Paul called everyone’s attention to the Profit & Loss Budget vs. Actual reports for the LIPH program for the period of April 2023 – June of 2023. He referred to the income section of the budget and noted the financial reports show a 25.34% use for this period. In reviewing the expense section of the budget, he noted the expenses were slightly higher at 28.6%. He was a bit confused with the comment from the accountant relating to the shortfall in income as a reason for the reported net loss. He felt the revenue is on point, but the expenses are up. He felt the budget would level out over a period knowing that some expenses are higher than others.

Commissioner Tillman did acknowledge that we are receiving the financial reports for ground lease revenue for the 501(c)3.

#### **(b). Update on a zoom meeting with Fulton Bank Representatives:**

The Chairperson of the sub-committee provided the following report from the zoom meeting.

1. We were able to get the representative from the bank to provide us with a 4% interest rate on the CD’s once they reach their maturity date.

2. We were able to add a 4% interest rate on the checking account that earns no interest by opening a money market account where we can transfer funds between accounts.
3. We have agreed to add positive pay services to our section 8 account to avoid our account being compromised.

The Chairperson asked if there are fees associated with positive pay.

Commissioner Tillman replied, “Yes. The monthly fee is \$30 (reduced rate) and there is a \$.10 charge for each check issued”.

The chairperson of the board was pleased with this report and thanked the finance committee for their participation in the call.

**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: None
- C. From Legal Counsel:

a). Barksdale Property Sale Update: Attorney Gouge reported he prepared a letter of intent. However, due to our limited resources and staff, he thought we should pass on this opportunity. The Executive Director has enough to focus on in regards George Reed Village. He will prepare a letter outlining our position and needs right now to all parties involved.

Commissioner Brown mentioned the possibility of a referral from another developer who might have some interest.

**VIII. New Business:**

- A. From Commissioners: None
- B. From the Executive Director:
  - a). Resolution No. 417 – FY 2022 Annual Plan & Administrative Plan Amendments. Mrs. Jordan mentioned the synopsis for the resolution is for the following:

1. Amend FY 2022 annual plan to include an additional 10% of project-based vouchers for the redevelopment of GRV per the Housing Opportunity Through Modernization Act of 2016 (HOTMA).

2. Amend the Administrative Plan for the HCV program to include the types of supportive services offered to the families at GRV once the redevelopment is completed.

The Chairperson of the board asked for a motion to approve the resolution as stated. Commissioner Tillman made a motion to approve Resolution No. 417. The motion was 2<sup>nd</sup> by Commissioner Brown.

**Aye 3 (Tillman, Brown, and Tompkins)**  
**Nay 0**  
**Motion passed, Vote: 3 to 0**

- C. From Legal Counsel:  
Attorney Gouge reported having a Delaware tenant landlord case. He also reported completing the housing authority's due process with a family that had multiple lease violations. At the family's request an Informal Hearing and a Grievance Hearing were held with both hearing officers upholding the agency's decision to terminate the lease agreement. We have agreed to extend the family's stay through September 30<sup>th</sup>. If they have not turned over possession, we will file court action.

#### **IX. Executive Session (Closed to the Public): Discussion regarding a Real Estate Transaction.**

The Chairperson asked for a motion to enter Executive Session. Commissioner Brown made a motion to enter into Executive Session. This motion was 2<sup>nd</sup> by Commissioner Tillman.

At approximately 6:33 PM the Board of Commissioner entered Executive Session.

**Aye 3 (Tillman, Brown, and Tompkins)**  
**Nay 0**  
**Motion passed, Vote: 3 to 0**

At approximately 6:49 PM the Board of Commissioners came out of Executive Session. The Chairperson asked for a motion for the meeting to become public. Commissioner Tillman made a motion for the meeting to be open to the public. The motion was 2<sup>nd</sup> by Commissioner Tompkins.

**Aye 3 (Tillman, Brown, and Tompkins)**  
**Nay 0**  
**Motion passed, Vote: 3 to 0**

The attorney acknowledged that a discussion took place during Executive Session to discuss a real estate transaction and related management.

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

**Meeting adjourned at approximately 6:50 PM**  
**Minutes Submitted by: Marene M. Jordan, Executive Director**