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**Newark Housing Authority
Board of Commissioners
August 14, 2024**

Summary of Meeting (In-Person) Minutes

Opening:

The regular meeting of the Board of Commissioners was called to order by Chairperson Lane.

Chairperson Lane opened the meeting commenting, “Today is Wednesday, August the 14th, 2024. Time is 5:06pm. This is the start of the Board of Commissioners meeting for the Newark Housing Authority, and we are on to the agenda. We are going to start with roll call.”

I. Roll Call

The Board members present were Commissioner Lane, Commissioner Tillman, Commissioner Brown and Commissioner Moone. Executive Director, Marene Jordan was also present.

Ethan Robinson, Deputy Director of Public Works, City of Newark, was also present. Mr. Robinson made a correction to his introduction by stating, “I believe the agenda says Department of Planning, but I'm with public works.”

Chairperson Lane replied “Thank you. So that's our first correction on record. Deput Director of Public Works & Water Resources.”

State Representative Paul Baumbach was present.

Ellen Pollack, resident of Independence Circle, was present.

Chairperson Lane welcomed and thanked all for their attendance.

Next item on the agenda was Ethan Robinson from the City of Newark Public Works Department giving the George Read village update.

Ethan Robinson- “We did receive plans, the latest set of plans from the design engineer, Neil Carlson, from VanDemark & Lynch. They were received formally on August 8, 2024, and have been in our queue since. As you know, this is an expedited review since it is an affordable housing development that typically really only applies to the major subdivision phase of the project, but the city, in an effort to keep this project moving, has carried that through the CIP phase. For those of you that are not familiar with the plan review process for the City of Newark, a development like this one requires that a major subdivision plan be approved by City Council prior to moving to what's called the Construction Improvement Plan Process. The major subdivision plan really covers the high-level details of the project, where the construction improvement plan will actually focus on the technical aspects, logistics of the project, and how it's going to be constructed. That's where we are now. This is the third submission that we've received so far. Every

submission that's been submitted to the city of Newark has been sent back to the design team. Within 30 days, I will note that as of today (from the time I left my office) there have been no building permits submitted for this project. I don't know if anyone was present when we met with the design team several months ago to discuss phasing of the project, but at that time I suggested that the design team, developer and the owners consider submission of the building permits concurrently with the construction improvement plans, or as close as possible."

Chairperson Lane- "Let me just interrupt you one second. I want a response as to whether or not the building permits have been submitted. Dave Holden (Ingerman), can you confirm whether the building permits were submitted to the city?"

Dave- "No, they have not been submitted. Ed Coupe (Ingerman's Construction Manager) and Toren Williams (Architect) were trying to set up a meeting with the city to go over the submission. The drawings are now completed and have just been wrapped up in the last week or so. So, I know there was some confusion. Ethan, you sent an email that they (the city) interpreted it as that they couldn't submit until the CIP was done, and then somebody else from the city clarified that last week. So, I guess we couldn't put in for the permit. So now that the plans and specifications are done, they're putting together the submission for permits."

Ethan- "I'm not sure where the confusion was. We were pretty clear that the CIP can be submitted along with the building permit, or building permits submitted along with the CIP. But you're right. And if the confusion was that you wouldn't get an approved building permit until the CIP is approved, that is an accurate statement. So, I'm not sure as to where the confusion was, but yeah, absolutely, I encourage the design team to get building permits submitted. Whether it's submitted for demo specifically, building foundations and footings or the overall mixed-use building and the residential structures, I would encourage that (building permits) be submitted as soon as possible."

Dave- "I think they're still have been trying to address the city's requirements for energy efficiency. The consult, New Ecology, has been going back and forth with somebody in your office, because the way the city works is that you must have a minimum score based on equipment and conditions. So, they've been working on finalizing that and trying to meet that. Are you familiar with that?"

Ethan- "I'm familiar with what you're referring to. However, that's handled by the Planning Department. I'm with Public Works and Water Resources."

Dave- "Yeah, well, so my point is, that is being finalized or has been finalized recently so now they are in a position to submit for building permits."

Marene- "Are we prepared to submit these items today?"

Dave- "The feedback I got from the architect and the contractor was that they were going to set up a meeting with the city to confirm the submission process and make sure they submitted everything. They are trying to do that now. So, they are working on it. It is in process. I can confirm with them tomorrow if they set up a meeting with the city or not. But that is their intention to get in as soon as possible."

Ethan- “I can confirm that. I've been in contact with Ingerman and Architectural Alliance, Toren specifically and another gentleman whose name I can't remember. We did have a meeting scheduled for 2:30 pm tomorrow. That meeting is really to discuss the demo and abatement process and what's required from fire marshal's perspective to demolish the existing structures. Beyond that, we can talk about whatever else needs to be discussed during that meeting. I do have representatives of the building department who will be joining me in that discussion.”

Dave- “Okay, great. I mean, I wish I'd known you were going to be on this call, because I could have had Ed Cooper and Toren involved. So you're meeting with them tomorrow.”

Ethan- “I can elaborate a little further. So, a few things to bring to the board's attention and the project team's attention. There are a few critical items that need to be ironed out. And the most important one, I think, to everybody in this room, I'm assuming, is going to be the phasing and logistics of the project. My understanding is that the goal is to minimize the impact on the existing residents that are currently on site, and that phase one will include the demolition of the structure that we're currently sitting in along with the construction of the mixed-use buildings associated with the project. That makes complete sense. What becomes difficult is making sure that utilities are maintained that are needed to serve the tenants that are going to remain, and that's no easy feat. It's something that, again, the city brought up, probably at the second major subdivision plan submission. So, we began working with the project team on that, and VanDemark and Lynch has done a good job in trying to come up with some alternatives as to how we can phase the project. So, we do that at every review. We look at it to make sure that continuity service, whether it's water, sewer or electric, can be maintained throughout the duration of construction. But that is a critical component to this project, and that's one that we're going to be looking at very closely. Phasing also becomes important when we're talking about safety during construction, because we do not want people walking into an active construction site. So, the clear delineation and hard stop between what's not under construction and what is under construction is important.”

Marene- “Can I make a comment on the administration building. Phase one includes buildings 6, 7, 8, 9, and 10. I think I was on that first call with you when building five was included in the first phase but was later excluded because of relocation. So, help me to understand what you mean about having water access during phase one. Is having to include the resident buildings during phase one the problem, or no?”

Ethan- “No particular building is causing the logistical nightmare of phasing this project. What is, anytime a project is phased you are going to run into a similar problem. So, it just needs to be understood by the design team and everyone involved that there are going to be temporary service disruptions. For example, we are going to have water coming to a portion of the site where we are, right. That means we are going to do a shutdown. We are going to cap the existing main then we are going to do a bacteria test, which will require a temporary boil water advisory that will be issued to anybody on the site receiving water. Twenty-four hours later, we'll get the bacteria test back and we are good to go. They can ingest the water. Similarly, sanitary sewer. We can't just cut off the sanitary sewer and say, okay, this portion of the site no longer has sanitary sewer for obvious reasons. Electric is the same. My understanding is that discussions with the electric department are ongoing. I met with the electrical director this afternoon, just to make sure that there are not any major items that were a concern for this project, and it didn't seem like there were at the time.”

So, the electrical component of the project is moving along well. But I do want to bring up the logistics of phasing, and I would encourage everyone to make sure that they're on the same page with the engineer, the architect or project managers, whoever it may be. The DelDot entrance permit is still pending approval. There are ways to keep the project moving while the permit is working its way to approval. We can get temporary construction entrance approval from DelDot to facilitate construction of phase one. That's something that has been discussed with the project team. We have not gotten to the details of that, but the primary construction entrance for phase one is going to be mainstream. We are not going to want to take heavy equipment, everything associated with demo and construction of phase one through Delaware Circle and Independence Circle.

So that is going to be important. There will be some coordination with DelDot required before we can even get buckets in the ground or allow for buckets to be put in the ground. The other thing I want to mention is to make sure everyone is aware that there is going to need to be a subdivision amendment associated with this project. The original subdivision agreement states that the city of Newark will be responsible for all water mains that run through the private drive of the subject site. That was fine during the major subdivision plan phase of the project. However, in the first iteration of the CIP there was a significant deviation in the layout of the water main(s), so it no longer ran straight through the project. It kind of loops, and it kind of zigzags through a storm tech facility, a subsurface storm water facility. The city will not take responsibility for that water main that is close to private infrastructure (structure and private buildings). If the design went back to its original alignment of the water main, where it was a straight shot through the private drive, that's something I'd be more comfortable taking ownership of. At this point, where we stand is we are going to take ownership of the main essentially where it's in the public right of way. And once it exits the public right of way, there will be a valve, and it will be private from that point on through the subject site, to the point where it comes back to Main Street, right of way and ties in the main street. So, the water main on this project connects Main Street to Delaware Circle. I just want to make it clear that we have to amend that at some point. I would feel comfortable moving forward with the approvals to keep this project moving, with a condition that the subdivision is amended prior to the issuance of any TCO or CO temporary construction, temporary certificate of occupancy or certificate of occupancy. That just gives us more time before Council makes the amendment. I wouldn't approve of a TCO until that is done."

Marene- "Were all of the concerns addressed in the last submission?"

Ethan- "All my concerns that I could articulate based on that submission are in our comment letter. Anytime a new plan is submitted, there's the potential for more comments to be generated. So, it's only been a few business days that this has been with the City of Newark. So, I cannot tell you what else the design engineer has changed that may generate more comments. That particular statement with regard to the subdivision agreement is in this comment along with 10 other pages."

Chairperson Lane- "Can you update us on where we are with the city's comments on the last 10 pages of comments that needed to be addressed."

Dave- "Well, like Ethan said, we made the submission on the eighth and we are waiting for a response. This description of the water main; I really wish we would have had the civil engineer on this call, because I doubt, he zigzagged it for no reason."

Ethan- “I would have to review his responses to see if he responded specifically to that. What I can tell you is the storm tech facilities changed location. So, they went from being on either the East or West side of the subject site to now being central to the subject site and located within the access drive, the same location where the water line is proposed. For them to maintain clearance of the storm tech facility, they have to kind of zigzag through an underground storm work facility and in between a proposed mixed-use building, and that facility. It is not ideal, but can be done, if you maintain the appropriate horizontal clearances, that being 10 feet from the stormwater facility to the water main. I believe they maintain the necessary clearances, but it's way too close for the city to take ownership of that that water main for the simple fact that if in the event, we need to make a repair, it is way too close to privately owned infrastructure for us to safely excavate and make a repair without taking on liability for damaging private infrastructure.”

Dave- “I am really at a loss without Neil. I don't know. I don't know why he moved it. He doesn't change things arbitrarily, so I am sure he had a reason. I don't know what else he was reconciling, but we can, we can certainly ask him.”

Ethan- “From an engineering perspective, I understand why he moved the facility. Ultimately, he wanted to maximize his ability to collect and convey storm water from the site. So obviously, everybody knows there's a stormwater component to comply with Delaware sediment stormwater regulations and the city's drainage code. He made the decision to relocate that facility to what he believed to be a more efficient location from a storm perspective, and that's perfectly fine, however, it does impact other underground utilities inside. The city would not take ownership of anything beyond the right of way. So, you have a water main break at 2:00 am and you reach out to non-emergency (non-emergency dispatch with the City of Newark) we dispatch our crew. We give you a shutdown so that you can have a contractor come in and do the work. That being said, the city's never going to leave a customer hanging. So, there's always (I'm not committing to this), but it is likely that if you or your contractor needed assistance, we could probably provide assistance with a repair. However, what I don't feel comfortable with is locking us in for solely being responsible.”

Dave- “Ethan, can you repeat the level of comfort on how we could proceed?”

Ethan- “The City of Newark would not approve a building permit for demo or construction of any kind, if a DelDot Entrance Plan is associated with the project and not approved by DelDot for a lot of reasons, which are self-explanatory. But what we have been successful in doing is having a good relationship if a project needs to move forward to meet a specific deadline, and close enough in the DelDot approved review process that DelDot feels comfortable with.”

Dave- “The last email I got from DelDot said, you have successfully submitted the final review for final commercial entrance plan to DelDot for George Read Village.”

Ethan- “I think that's good, but what I hear is that you have submitted the final plans, but they are not reviewed and approved yet. And once they are approved, that needs to be furnished to the City of Newark (and Neil knows that). I'm sure he will once they are approved. I bring it up only because it is a critical component to kind of getting shovels in the ground.”

Dave- “I'm a little confused. Isn't this part of the CIP process, or would a lot of things you've been saying go into your comment letters?”

Ethan- “Everything I mentioned has already been incorporated in previous comment letters. My understanding with the relocation of the storm sewer and the storm collection, from the low-grade storm collection was due to its previous location conflicting with the required number of units that you needed, left online as part of the first phase. My understanding was that's why it was relocated, because the storm sewer or the storm collection is required to be fully functional in order for the first phase building to be occupied. That was my understanding for the purpose of the relocation of it.”

Dave- “If the newly relocated place is problematic, I think we should definitely get on a call with Neil and tweak it, because my understanding is that its previous location won't work, because it directly was in conflict with the buildings that Marene needs occupied during phase one.”

Ethan- “You mentioned that and that is correct. I don't know if the current location is problematic. It works. It just won't work for the city to take ownership of the water main. So, it is problematic in some ways though. Hopefully, there would be an ability to shift it slightly and find a solution that touches all checks, all boxes.”

Dave- “Ok. I think this should probably be a discussion with Neil, since it seems like the city will not be able to take ownership of that. Understandably. Let's see if we can figure something out because I do understand that the previous location was probably the best location, but with the buildings that Marene needs to remain online, we can't keep it in that location.”

Marene- “We have five buildings that are vacant. The tenants were moved offsite, and we have to comply with the HUD regulations regarding relocation. It seems to me there is another meeting that must be scheduled between the developer and the city, because from what I'm hearing, it doesn't seem like the comments and concerns are being addressed.”

Ethan- “I would disagree with that. I don't think that they're not addressing the city comments. I think, unfortunately, with the limited time that we had to take to look at the latest submission, it's how well they addressed them. Taking a cursory look today at the responses, I would say they've probably addressed the majority of the city's comments, but the ones that we're talking about now are still outstanding and are the significant ones.”

Dave- “All comments have been addressed in the most recent submission. Please correct me if I am wrong, I didn't have the understanding, with the prior comment that the relocation of it would mean that the city could not take ownership. That was new news to me. If that's incorrect, it was not properly conveyed on that very well.”

Liz- “My understanding was that in this submission they did address comments on the water line. I wasn't aware until this call now that the city wasn't able to take ownership of the line due to the moving of the storms collection system.”

Ethan- “There is a response to the comment. It has been addressed there. The response is, Public Works has indicated that the water line maintenance responsibility will end at the right of way lines of Main Street and Delaware Circle. We assume the city will prepare an updated subdivision agreement incorporating this change, and we will distribute for the applicant's signature, and that is perfectly fine. In my world that is addressing the comment, the subdivision agreement gets revised, and the project continues to move forward. If that's the route we're going that's perfectly fine for the city and the developer, but then the liability for the housing is something for this team to decide on. I can't make that decision.”

Chairperson Lane- “What are the comments, if any, about the liability since the city is not taking ownership of the water main; should something break, or there is a problem with the infrastructure? Where does the liability fall? Who's going to be responsible?”

Ethan- “To give the Board a level of comfort, the mains that exist on site right now are probably something in the range of 80 to 90 plus years old. They are cast iron mains. They will be replaced with double lined class 52 ductal iron pipe that has a life expectancy of something around 75 to 120 years. But to be clear that is someone else's responsibility.”

Marene- “That is what I'm trying to get clarification on. Who will take responsibility for that. Who owns the water mains? Ethan, the city owns all and that's typical throughout the city.”

Ethan- “The city owns all the water main and sanitary sewer and storm water that's located within the public right of way. Throughout the City of Newark, we also own public infrastructure on private properties that run through easements. When a water main is run through a private development with no public right of way, the water main becomes private where it leaves the right of way. What we were trying to do with this particular development was minimize the amount of responsibility that the Newark Housing Authority, or whatever entity it is that is overseeing the project and owning the project and be responsible for maintenance of the water main with a clear distinction of ownership, from the main to the structures being private and the main being public.”

Dave- “So, Marene, to answer your question, if there is a problem with a water main and it's privately owned, then the partnership would be responsible for fixing it. It would come out of the replacement reserves that are funded. We have this situation on lots of properties for the reason Ethan described.”

Chairperson Lane- “Who made the decision to change the designs?”

Dave- “The Housing Authority identified the buildings that they needed to keep in phase one that required changes to the storm water, which then made this water main closer to it. So, it was kind of like a domino effect of making decisions around meeting the housing authority's needs. Then that led to the storm water moving which led to proximity to the water main.”

Marene- “During a call when the plans were being discussed, clarification was made on the building numbers that were a part of phase one to coincide with notices and information shared with the residents of Independence Circle and Delaware Circle. The plans, at that time, showed building #5 was part of phase

one when building #5 had two units vacant where residents from Building #10 were being transferred to as part of the relocation process. So, that needed to be clarified since NHA is responsible for relocation cost.”

Chairperson Lane- “Ethan, do you have anything else just for right now? I think collectively, the commissioners’ concern was the 10-page CIP. We wanted to hear from the city on the third submission, and where and how we are progressing from that third submission, which you haven’t really gotten a chance to get into, because you just got it. So, we understand that, but I think just from our comfort level, because in our minds, we know that we have a relocation. We have tenants that are off site and tenants that we have moved. We have tenants that are eager to understand that they are going to come back and come back timely. We also have a HUD deadline in terms of a relocation process that we must follow. The Housing Authority was relocating residents based on the development schedule provided showing a closing date in July 2024. So, we have every partner here in this project, so that all the commissioners understand what’s going on. We’re able to inform the community when folks walk up to us and ask what is going on, and just have a comfort level. So, we appreciate you being here and giving us an update.”

Ethan- “I guess the one thing I’ll leave you with is the water main discussion. The purpose of that comment was to have a simple subdivision agreement amendment. Now I understand that that amendment doesn’t sit well with the board, because you now take ownership of the water main. I guess to give you some level of comfort when taking ownership of that is the water main is going to be installed in accordance with city standards. The particular material used to comply with city standards has a relatively long-life expectancy, so the likelihood of there being an issue anytime soon is small. So, in an effort to keep the project on track with the timeline that you have, I would suggest the board strongly consider just amending the subdivision agreement and proceeding with the alignment that Neil has proposed. That is my recommendation, so that you can meet your timelines, not anything more than that.”

Chairperson Lane- “Thank you, commissioners. Any questions? Thank you.”

Ethan- “Thank you. Look forward to the next one.”

Chairperson Lane- “Dave, your next on the agenda. Basically, to give us an update as to the status of the overall development and the submission regarding the CIP to the city. I know we just talked about the majority of where we are with the submission, but just the over overview.”

Dave- “We talked about all the local stuff. As far as the CIP and the building permits are concerned, we still don’t have. We got the DSHA resolution from their board a month ago, but we still don’t have the documents. They have not started their closing process. We want to start calling the equity investor and the lender and Liz is going to try to get people to agree to a schedule. We sent around the schedule. We sent around a budget. We sent around a revised rendering. We sent information on square footage. You got the full CIP submission. You have the letter and the plans and specs.

Chairperson Lane- “Dave, are you comfortable and confident in the last CIP submission? Do you feel comfortable that the comments were responded to?”

Dave- “I think, because it's like the third one. We are almost there, or if not there, from what I understand, sometimes responses generate new comments from submission to submission that they must respond to. It's things that either the city asked for a change, and that ripples through, makes other things change but I think because we are on our third submission, we should be close. The architect and the engineer said the City of Newark is known for having lengthy CIP approval process. I think we are actually doing better than typical, and we are grateful that the city's made this project a priority.

Liz- “I would agree with Dave. I think the comments that were made have been addressed. I wouldn't anticipate new, large, problematic issues coming from this next submission. I would anticipate, we either wrap up with this or they come back with a few more things, like a change, some dimension strings and some language that can be turned around very quickly.”

Chairperson Lane- “Thank you. Dave, thanks. Liz.”

Ethan- “Is this a design build project?”

Commissioner Brown- “Yes.”

Ethan- “That helps clarify a lot of what I'm seeing. I was not aware of that. I was concerned that this would actually have to go out for a bid. So, it sounds like that's good, because otherwise this would throw the schedule off.”

Marene- “Ethan, on the call tomorrow, I'll make sure to mention if the plans are ready, get the building permits in so the review process can start. But is there anything else that we can do on our end?”

Ethan- “No, not that I can think of. Where is the schedule that puts their assumption of having approved plans by September 3rd? Approved CIP. They're not right. I'm just saying that it's unlikely. If you have a 10-page comment letter, I don't care who the engineer is, there could be any number of items that can be missed. Something can change on the plan. The engineer on this project does not do a lot of development in the city, so there was a learning curb. But I would not say in any way that they were negligent in any design component associated with the project. They just needed to be brought up to speed with the City of Newark's process, and now that they are, they have some traction, and we're moving along.”

Marene- “That is one reason why we selected a local developer and someone that understands DSHA requirements for tax credits during the procurement process. NHA was trying to avoid having someone outside try and handle everything that we needed to handle to keep the project moving because of time constraints, funding and completing the 2nd round of solicitation for a developer partner.”

Ethan- “I would honestly say until we can get the CIP submission approved, that timeline (developer's updated project predevelopment schedule) is not going to start until then.”

Chairperson Lane- “Ethan, how soon do you guys get back on this third submission? So, you're reviewing it now and then? What's that process?”

Ethan- “So, when plans come into Public Works, we distribute them to all operating departments and that has already been done. We try to do that within a few days of receiving them. In this case, it was the same day. Other operating departments, again, have other things going on, so every department is going to return their comments to the public works at different times. For instance, it's likely that the Electric Department is going to be probably one of the first, based on my conversation; to say we just need these final changes. I would expect Public Works is going to find something with planning. At this point, their component of this is done because it's no longer the major subdivision phase. It's now Public Works to handle the CIP portion. But they may have, or they may see something or identify a setback that's not met, or something that's easily addressed by an engineer. At every submission, we've been responding within 30 days. My guess is we are going to do better than that. Now that we are on third submission. We kind of know what we're looking for, but it's not as simple as just going through this comment letter and saying, “Oh, yeah, they respond to that.” We cannot do that. We must look at it and do another full review, because there's always the potential for an engineer to try to slide something in last minute that we wouldn't typically approve, so we have to kind of do an overall review again.”

Marene- “Ethan, even when you looked at the revised project predevelopment schedule, does the schedule factor in us going back in front of Council for the approval of the revised subdivision?”

Ethan- “It's something that cannot be dismissed, but it's not something that's going to stop us from going to construction. What I will do when I draft an approval letter to the developer, it's going to say “Projects approved with the following conditions.” One of those conditions is going to be no TCOs or CEOs will be issued for any component of this project until a subdivision agreement has been amended to the State Department. So, you have theoretically the whole construction duration to get Council support.”

Chairperson Lane- “Well. Ethan, thank you, and we will have you back. Okay, for sure. Just to give us a level of comfort. It's good to hear from both sides so that we know what we need to do.”

Ethan- “Sure. I appreciate it.”

III. Approval of Minutes:

(a). Meeting Minutes from June 12, 2024

The Chairperson asked for approval of the meeting minutes. June 12, 2024. Commissioner Brown made a motion to approve the minutes presented. The motion to approve was 2nd by Commissioner Moone. “Any opposition for the minutes? All in favor, please say. “Aye.” Approval of minutes for June 12 carries.”

Aye 3 (Fillman, Brown, and Moone)
Nay 0
Motion passed, Vote: 3 to 0

IV. Report of the Executive Director:

(a). Staff Report from June and July 2024

Chairperson Lane called for the staff report for June and July 2024.

Ms. Jordan proceeded with the following:

Day- Two Board of Commissioners Retreat:

Day two of the Board of Commissioners retreat was held on June 7, 2024, at the administration building for the Newark Housing Authority. Commissioners in attendance were:

- Chairperson Lane
- Vice-chairperson Tillman
- Commissioner Tompkins
- Resident Commissioner Lucas

Note: Commissioners attending the retreat held on June 7, 2024, received their certificate of completion.

Note: Commissioner Brown and Moone did not attend day two as they already received their commissioners' certification from NAHRO in 2023.

Centralized Waiting List:

Progress continues with the collaboration of all five PHAs. The progress reporting includes:

- 501(c)3 status approved – waiting on final tax-exempt status
- Organization structure of officers:
 1. Chair: Elana Davis (DSHA)
 2. President: Assunta Scarpitti (NCC)
 3. Vice President: Ronnette Anderson (WHA)
 4. Treasure: Marene Jordan (NHA)
 5. Secretary: Nicole Curry (DHA)
- Waiting List Purge – all PHAs are to upload a current list for HCV only (except DSHA – MTW) and list is to remain closed until the centralized waiting list becomes live.
- Schedule a one-one-on with AffordableHousing.com (management company thru Revolist)
- Timeline:
 1. July – finalize preliminary application process
 2. July – August Purge of HCV waiting list
 3. September – Website Launch
- Align Centralize waiting list with streamlining of HCV program

Streamlining the Housing Choice Voucher process & Landlord Engagement:

Next Steps:

- Admin Plan Updates
- Inspection updates/Inspection Policy and Process
- Standard Operating Procedures drafting
- Landlord Guidebook drafting

Community Reinvestment Funds Application Status:

Two applications were submitted. One for Funds Capital improvements to 13 scattered sites. Ask is \$784,292.00 and the other to assist with energy efficiency upgrades for GRV redevelopment. Ask is \$310,741.00. Unfortunately, only one application was approved. The application for Scattered Sites was not funded through the FY2025 Community Reinvestment Fund (CRF). The FY2025 CRF process was extremely competitive as there were over \$210 million dollars of requested funding and only \$40 million dollars to allocate.

NHA received approval for \$100,000 to assist with energy efficiency updates for GRV.

CDBG Update:

CDBG Award of \$53,830 for grant year 49 was fully expended and expenses were reimbursed by the City of Newark. These funds were used to renovate 160 Madison Drive. Capital Improvements included:

- Drywall throughout
- New flooring throughout
- New kitchen cabinets
- New appliances
- Some plumbing/electric upgrades
- New tub/toilet/vanity
- Installation of washers/dryers and appliances

NHA received notice from the City of Newark for the next round (51st year) of CDBG applications due on August 28, 2024. NHA plans to apply for two scattered site capital improvements.

Chairperson Lane- “Have we identified the two properties?”

Ms. Jordan- “Yes, 177 Madison Drive(vacant) and 52 Thompon Circle (proposed).”

NHA Board of Commissioners Update:

Commissioner Brown, a Governor appointment, appointment expires in August of 2024. Commissioner Brown has graciously accepted another 3-year term.

Commissioner Lucas, also a Governor appointment, was appointed to fill the resident seat on the board as an active participant of the voucher program. Ms. Lucas voluntarily forfeited her voucher and participation in the Housing Choice Voucher Program on June 12, 2024. Because of that, she can no longer occupy the resident seat on the board. The Governor's office was notified of this vacancy and a recommendation was given for a replacement.

As far as the vacancy held by former board member, Clifton, a replacement is still pending.

Housing Choice Voucher Invites:

On May 29, 2024, NHA held an HCV briefing for families approved to participate in the program and issued vouchers. Four families were issued a voucher with one lease-up with an effective date of July 1, 2024. Another briefing is planned for August.

SEMAP FYE 3/31/2024:

On June 25, 2024, NHA received notification from our HUD field office of our Section 8 Management Assessment Program (SEMAP) score for FYE 3/31/2024 score is 85% with a performance rating of standard. NHA received zero points for indicator #13 Lease-up. As previously reported NHA failed indicator #13 during HUD's assessment for FYE 3/31/2023. NHA continues to comply quarterly reporting to measure progress. NHA continues to invite participants off the waiting list and issue vouchers, but the rental market continues to be on the rise.

To date, NHA's utilization rate is 115.4% an improvement. We issued four vouchers in July and plan to issue another 4 in August. The CY reporting period ends 12/31/2024.

Scope of Work Solicitations:

NHA advertised for Legal and Fee Accounting Services. Both contracts expired on June 30, 2024. NHA received one response for each Scope of Work. Responses received were as follows:

- Legal Services – Current Legal Council responded, and contract renewal was granted.
- Fee Accounting Service – One response was received from BDO. BDO is a national professional services firm providing a variety of services to three of the five PHA's in Delaware. BDO was highly recommended.

NHA will be seeking board approval to enter contract negotiations later in the meeting.

Chairperson Lane- "What does BDO stand for?"

Ms. Jordan- “Their proposal lists BDO only. What I can say is BDO is a national professional service firm providing a variety of services to three of the five PHAs in Delaware. BDO and was highly recommended by Wilmington Housing Authority and Dover Housing Authority. They also perform work for the Delaware State Housing Authority from 2022 to present.

Chairperson Lane- “Where are they located?”

Ms. Jordan- “They are based in PA.”

FYE 3/31/2024 Unaudited Financials:

NHA received notification on June 26, 2024, from our HUD field office that our FYE 3/31/2024 unaudited financial(s) were approved.

To Follow-up on the question asked by Commissioner Brown regarding April’s financial reports not showing interest on our CDs. An email was circulated. For the record, interest in CDs is recorded when matured.

FYE 3/21/2024 YE Audit:

The audited financials for FYE 3/31/2024, are confirmed and are scheduled to commence on July 29, 2024.

George Read Village Street Name:

Confirmation was made for the street name for GRV. The naming of the street will allow access to the development of Main Street and continue through to the exit onto Delaware Avenue. The street name was approved for George Read Way.

George Read Village Moving Expenses:

In compliance with HUD regulations - Uniform Relocation Assistance (URA), the Newark Housing Authority’s total Relocation Expenses paid to date are \$50, 853.49. This total includes resident moves, utility and service provider connections, resident application fees, security deposits, inspections, storage, intake assessments etc. Relocation expenses are projected to be \$197,000.00 for both phases of the redevelopment.

So overall, this is something that we are going to have to discuss with the developer because right now we are projecting to exceed the \$162,000 that DSHA approves under relocation.”

Chairperson Lane- “How did we come up with the timeline in securing an offsite office and cost doing the first phase relocation?”

Ms. Jordan- “That came off of the developer schedule that they provided shortly after our plans were presented to the Mayor and Council. I want to say October or November, but that is the schedule NHA was working off that showed a July closing day. As of August 5th, we did receive the revised predevelopment schedule.”

Chairperson Lane- “I’m also concerned about what we’ve already spent. We have already secured an offsite office. We’ve already relocated our tenants. We did that based on what you just said. We did that based upon the developer schedule. So, the developer needs to compensate for some of the money we already spent, unless what is spent is covered through DSHA. That is a conversation that we need to have, because we’ve done our job based upon the schedule they gave us. So, commissioners and I hope you’re in agreement with me and that they need to help us out.”

Commissioners- “Agreed.”

Chairperson Lane- “You did everything that you did based upon the schedule you were given. We didn't get the storage until June. So, we anticipated paying rent in August So they must meet us on this. One way for them to meet us on this is by getting to completion faster, so on the back end that we're not renting housing for people any longer than we have to, because we have already spent more money than we should have. We're going to spend even more on the back end, unless they do something to expedite the schedule.”

Chairperson Lane allowed for comments to be made by our resident in attendance.

Ms. Pollack- “I’m with a walker so having back hoes and dump trucks and things like that come in there will be a lot going on.”

Chairperson Lane- “I think that was the reason why we had the call with Ethan from the city and the developer to try and ease some of those concerns. I think the difficult part is, it's a phase project. As Ethan mentioned, if it was a one phase, I don't think we would have some of the issues.”

Ms. Pollack- “You know, the neighbors had moved out in April on a rainy day. That was in April, and this is September.”

Chairperson Lane- “We thank you for your voice and your concerns, and we're glad you're here to tell us what you are thinking, and we're going to try to get all the answers as best we can.”

Ms. Jordan- “The good news, Miss Pollack, is the Delaware State Housing Authority, on July 10, did approve the financing. So, I think, from my perspective, I'm doing everything that I can to keep the project moving forward.”

Delaware State Housing Authority (DSHA)– Council on Housing:

On July 10, 2024, DSHA’s Council on Housing were presented with an overview of plans for George Read Village including the financial commitments. The Loan Review was the last step needed to move forward

with George Read Village. The Housing Council Members present for the meeting approved Resolution No. 650 in favor of GRV. The step next is the closing date. Commissioners in attendance were:

- Chairperson Lane
- Vice-chairperson Tillman
- Commissioner Brown

Resident Relocation Briefing Session Meeting #2:

NHA hosted another Mandatory Briefing Session to discuss the relocation process as part of the ongoing redevelopment of George Read Village. The meeting was held on July 25th at 11:00 am in NHA's community room.

Notification of the meeting was mailed/provided to all George Read Village Residents who formerly occupied units in buildings 6,7,8,9 and 10. These buildings will be demolished during Phase I of the redevelopment.

The purpose of this meeting was to provide the residents with information on being offered permanent relocation assistance or be given the opportunity to choose to continue to remain temporarily relocated for an agreed period should their lease term end prior to a new unit being offered to them. This meeting is part of NHA's ongoing consulting services.

Specifically, the meeting was to discuss HUD's requirement of the NHA for housing beyond 12-month displacement.

The meeting informs all that a date for closing and when construction will begin remains to be determined. Because of this, some may need to renew their lease for another 12 months, some may want to move to another unit, and some may want to permanently relocate to where they are now.

If residents choose to renew their lease for another 12 months and before the lease ends, they receive notification from NHA offering a new unit at (George Read Village) they are obligated to provide their current landlord with at least a 30-day notice Per Delaware Tenant Landlord Code. A 30-day notice is required because of their participation in a Federal Housing Program. If their landlord will not accept the 30-day notice and is holding them to the 12-month lease or obligating them to pay a reletting fee to break their lease; **THEY WERE INFORMED TO CALL NHA IMMEDIATELY.**

NHA will provide the resident with at least a 90-day unit offer for a unit at George Read Village.

If they choose to move from the temporary relocation unit and a new unit at George Read Village is not ready for occupancy, the process will have to start all over again with the issuance of a voucher, finding an affordable unit, passing inspection, and moving. Again, all expenses will be paid by NHA.

If they choose to permanently stay, where they are now, they will be required to sign a waiver giving up their rights to move into a new unit at George Read Village but will continue to receive the benefit of having their rent subsidized under the Housing Choice Voucher Program.

The meeting allowed for a Q&A session.

The narrative above addressed the questions raised by the residents. The residents in attendance expressed interest in returning to George Read Village and are ok with extending their lease if they can move once a unit is offered and they will not be held responsible for any unpaid portion of their lease.

HUD Implementation of NSPIRE and HOTMA Changes:

HUD recently announced to PHAs that certain compliance dates have changed.

NSPIRE - the inspection protocol for the voucher program was pushed back from October 1, 2024, to October 1, 2025.

HOTMA – HUD has not provided the necessary system changes on the new housing information portal nor indicated when the new system will be ready for use.

Resident Surveys – Options for Rent Payments:

All Public Housing tenants were given an opportunity to take part in a brief survey regarding options for rent payments. Options included:

- Setup a direct payment from the bank that will be mailed to NHA on their behalf.
- Arrange automatic withdrawals from their accountants for direct payments to NHA.
- Mail.
- Drop Off.

The result of the survey resulted in 24 tenants responding. The tally below shows responses.

1. Drop Off – 13.
2. Arrange automatic withdrawals from their account for direct payment to NHA – 8.
3. Setup a direct payment from the bank that will be mailed to NHA – 2.
4. Mail in payment 1.

24 out of 38 residents participated in the survey.

Ms. Jordan opened the floor for any questions or clarification on what was already presented.

Chairperson Lane called for a motion to approve the staff report for the months of June and July. Commissioner Brown made a motion to approve the report presented by the Executive Director. The motion was seconded Commissioner, Tillman.

Chairperson Lane- “Thank you. Any opposed to approval? All in favor, please say aye. Motion to approve. Staff report, June and July 2024, carries. So we are going to move quickly to wrap up our meeting. We are on committee report.”

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):

Commissioner Brown reported, “We discussed the retreat and how well went. It was well organized. The funds of \$300 provided were used for the snacks and lunches. All was used but \$45.00 that were returned during the meeting.

The other agenda item to report on was the scope of work for a new bid for fee accounting services. Everyone received a copy. I recommend that we acquire BDO as our new accounting service.”

Chairperson Lane- “We need to call for a motion to grant Marene permission to start contract negotiations. Do we have a second?”

The second was made by Commissioner Tillman. All were in favor. Okay, thank you. There were none opposed to the contract with BDO. The motion was carried giving Marene permission to move forward.

The Chairperson called for the report from the Development Committee.

B. Report of Development Committee: Chairperson- (Position Vacant)

Chairperson Lane asked Marene if she wanted to add anything from what was presented earlier

Ms. Jordan had no additional comments.

Chairperson Lane called for the report from the Finance Committee.

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

(a). Committee Report - Monthly Financials:

Commissioner Tillman committee, financial report.

“We have all seen the financials, which are April through June, which is 25% of the year. We are in very good shape. We are at 37% with 25% of the year gone, which means we have only spent a little under 20% of our expense budget. We have a surplus showing on net income thus far through the year.

The section eight budget is in line at 25% and 26%, so we are doing well there too.

The ground lease that always comes in, dead on. So, it's all we can do so far.

Any questions commissioners on the finance?”

Ms. Jordan- “I would just like to add to the report of the finance for the budget vs. actual for the public housing. The report shows a CFP transfer in of approximately \$106,000 which was drawn down from capital fundings for operations.

I also want to report that HUD is cutting funding under the voucher program, and it's based on your reserves. We have like, \$283,000 in our reserves to pay landlord in addition to HUD monthly HAP disbursements (annual budget authority). Several HUD notices report that housing authorities are experiencing shortfalls. Normally, what HUD does if you have a surplus, HUD hold funds, they'll lower your budget authority so that you can use the HUD held fund if other PHAs are experiencing shortfalls. And that's exactly where we are. This process can repeat itself if NHA were to experience a shortfall. There are also HUD staff who will notify a PHA if they suspect a shortfall based on what is being reported.

The concern for NHA is that we received our second notice saying that they're going to offset our funding once again. Will, CSG advisors, and I will be having a call this week. We're planning to appeal the second notification.”

D1. Strategic Planning Committee: – Chairperson (Nikki Lane):

(a). Committee Update: No update.

D2. Greetings Subcommittee: Chairperson (Kelly Tompkins):

(a). Committee Update: No update.

VI. Attorney issues

Don Gouge is not present.

VII. Old Business

- A. From the other Commissioners N/A
- B. From the Executive Director N/A
- C. From Legal Counsel N/A

VIII. New business

- A. From the other Commissioners N/A
- B. From the Executive Director
 - (a). BDO response to Scope of work – Fee Accounting Services (Already Addressed)

Chairperson Lane- “Permission to enter into a contract with BDO, a new fee account was approved.”

- C. From Legal Counsel N/A

IX. Visitors and/or Petition

Public comment from our visitors and Representative Paul Baumbach.

First thing is, thank you all for serving and of course, serving as Commissioners and serving as Executive Director. I really appreciate your dedication and your time.

So, Senate Bill 293 that the Executive Director mentioned has an effective date of 2026. It will not go into effect for a while, and it has a sunset after three years. But it has a report coming in March of 2028, to see, essentially, if there's enough reason to extend it against the legislature of three years. They have three months to extend that and remove that expiration date, but it does not go into effect until January 1, 2026.

Commissioner Brown- “Insinuation, does that need to be confirmed by the governor?”

Ms. Jordan- “I think we did. I’ll confirm with Don.”

Commissioner Brown- “On the resident member, Director Jordan mentioned that recommendation was to the governor's office by Don Gouge.

I believe that your policy is to report the vacancy to the governor’s office.

Ms. Jordan- “In the past NHA has always made a recommendation to the appointing authority when there is a resident seat vacant on the board.”

State Representative Baumbach- “I would ask you consider checking that the policy may want to make sure that's the process. I know that during the joining sunset review, there was the issue of recommendations for board members coming from the administration. The recommendation from the state government was there should be a long independence there.”

Ms. Jordan- “I don't think the governor's office would know whether or not who our residents are to fill that vacancy. That's why that recommendation was already always made.”

State Representative Baumbach- “I will double check. For the opening on governor's appointment for the non-residents it's been vacant for a long time. I've probably gone through six people so far. I am still working on that.

The last piece is that you've got a policy regarding the waitlist and closing it and updating it. I had a constituent reach out. They were on the waiting list and were taken off. This update was sent out to him and it came back to NHA (Undeliverable). If the policy is that the waiting list will be updated annually to ensure that all applicants and applicant information is current, NHA will send an update request via first class mail to each family listed to determine whether the family continues to be interested and to qualify during the program.

Let me back up, it's an obligation for the applicants to update the address with the authority if there is a change. There are two requirements.

One is, if the applicant moves, they have to do something with the authority. The authority needs to annually send mailers out to make sure the address is correct. This individual moved and did not update the authority. However, he updated his address with the post office and NHA should have gotten updated notification also. NHA policy is written quite well. There's a possibility that the updates did not happen during COVID when everything was crazy. But the policy also says if a family is removed from the waiting list for failure to respond, NHA may reinstate the family if it is determined that the lack of response was due to NHA error or circumstances beyond the family's control. I would suggest that two wrongs make a right, and that if an applicant has failed to update the authority but has done a forwarding address, which normally would have been caught by the NHA general policy, but then the NHA missed because of circumstances beyond their control of COVID and mailing the update, I would suggest that applicant, who was taken off the list, that the authority should consider doing what it says, which is the NHA reinstate the applicant. I offer that generally, not talking about anyone, specifics, any names or anything like that. I would suggest that, given the uniqueness of COVID that they have already considered using that piece of this policy to consider reinstating an applicant under their circumstances, if that is exactly what happened. There's no issue. On the applicant's side, hold them responsible for the problem, and keeping them off is the right thing to do. But if it was one of these things or a combination of challenges, I suggest that it's to consider using restoration. I'm just throwing it out."

Ms. Jordan- "Paul, if the applicant changed his address with the post office, he still had an obligation to report the change and to update the housing authority in writing. The address was confirmed. It is the address that we have on record when he initially applied. I don't think I would agree with reinstating him, because again, if he made the effort to change the address at the post office, but then failed to follow through with the housing authoring then I don't believe there is anything else to be considered. Yes, given the fact that COVID hit, and I can honestly say that we just did not mail out updates, but I don't know if there is enough for reinstatement. The obligation remains. He changed his address at the post office. What you just read said he still had an obligation to notify the housing authority of his address change, which he did not do. So based on all of that, it's still your recommendation that the Housing Authority reinstate him on the waiting list.

State Representative Baumbach- "Yes, I do. I don't know if there's enough there to say if you notify one agency, and he didn't notify the other whether or not it is following policy."

Chairperson Lane- “Thank you. Any other public comments? Ms. Pollack, anything else? No, thank you. Well, we appreciate you attending.”

X. Adjournment:

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

Thank you adjourned. Thank you, Meeting adjourned

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

Meeting adjourned at approximately 6:48 PM
Minutes Submitted by: Marene M. Jordan, Executive Director

APPROVED