

**MINUTES OF THE ANNUAL MEETING**  
**OF THE FALL RIVER HOUSING AUTHORITY**  
**HELD ON MONDAY, JANUARY 8, 2024**

The members of the Fall River Housing Authority met in Annual Session on Monday, January 8, 2024 at 4:30 o'clock p.m., at 85 Morgan Street, in the City of Fall River, Massachusetts.

The meeting was called to order by the Chairwoman, and upon roll call, those present and absent were as follows:

**PRESENT**

Mary L. Sahady  
David Underhill  
Jason Burns  
Jo Ann Bentley  
John Medeiros


**ABSENT**

There being a quorum present, business was transacted as follows:

**NOTICE OF MEETING**

Notice is hereby given in accordance with Section 20 (b) and Section 20 (c) of the Massachusetts General Laws (M.G.L.) Chapter 30A that the Annual Meeting of the members of the Fall River Housing Authority will be held at 4:30 p.m., on Monday, January 8, 2024, at 85 Morgan Street, in the City of Fall River, Massachusetts.

FALL RIVER HOUSING AUTHORITY

  
\_\_\_\_\_  
Secretary

Dated: January 3, 2024

**CERTIFICATE AS TO SERVICE OF**  
**NOTICE OF MEETING**

I, Kevin Sbardella, the duly appointed, qualified and acting Secretary of the Fall River Housing Authority, do hereby certify that on January 3, 2024, I filed, in the manner provided by Section 20(b) and Section 20(c) of the M.G.L. Chapter 30A, with the Clerk of the City of Fall River, Massachusetts, a NOTICE OF MEETING, of which the foregoing is a true and correct copy.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said Authority on this 8<sup>th</sup> day of January, 2024.

  
\_\_\_\_\_  
Secretary

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## CITIZEN INPUT

Chairwoman Sahady asked if anyone in the listening audience wished to speak during the Citizen Input time. Patrick Duddy, President, Bristol County Civil Process, 126 President Avenue, Fall River requested permission to make a brief presentation regarding Item D under Miscellaneous on the Board agenda in reference to the proposed award of a two (2) year contract for Constable Services to Stephen P. Medeiros of Minuteman Process Service, the current vendor.

Mr. Duddy expressed his personal concern to the Board regarding a number of issues with the bid submitted by Stephen P. Medeiros. These issues included 1) the fact that the low bidder's contract amount was listed at \$29,000 for the two (2) year contract period, an amount that Mr. Duddy personally felt would be impossible without the vendor paying out of pocket to perform his services; 2) Mr. Medeiros is billing the FRHA under the name of Minuteman Process Service, which, according to Mr. Duddy, is not registered with the Secretary of State; 3) Mr. Duddy further expressed that there is no active Workers Compensation Insurance listed on the State's website (Massachusetts Workers Compensation requirements) either under the name of Stephen P. Medeiros or Minuteman Process Service; and 4) Mr. Duddy questioned the authenticity of a number of invoices submitted by Mr. Medeiros during 2023 that were not billed to reflect the proper service (i.e. mailings for *Notices to Quit* to household members separately vs. all *Notices* mailed in the same envelope).

Mr. Duddy thanked the Board for their time and attention to this matter.

## RESIDENT INPUT

Chairwoman Sahady asked if anyone in the listening audience wished to speak during the Resident Input time. Edward Gagnon, FRJTC Executive Director, advised that elections were held at O'Brien Apartments, Mitchell Heights and Doolan Apartments. Elections will be held at Holmes Apartments and Barresi Heights during this month and at Cottell Heights and Cardinal Medeiros Towers in February. Mr. Gagnon added that the Farmers Market is still going very well.

## MINUTES OF PREVIOUS MEETING

As copies of the minutes of the Regular Meeting held on December 11, 2023 were mailed to the Commissioners, it was in order to act upon same.

Commissioner Medeiros made a motion to accept the minutes as presented and Commissioner Bentley seconded the motion. It being brought to a vote, the minutes were unanimously accepted.

As copies of the Executive Session minutes for the August 14, 2023 Regular Meeting, September 11, 2023 Regular Meeting and the October 16, 2023 Postponed Regular Meeting were mailed to the Commissioners, it was ordered to act upon same.

Commissioner Medeiros made a motion to accept the Executive Session minutes as presented and Commissioner Bentley seconded the motion. It being brought to a vote, the Executive Session minutes were unanimously accepted.

## BILLS AND COMMUNICATIONS

**Vouchers:** The Secretary presented the December, 2023 vouchers as follows:

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<u>Projects</u>	<u>Check Nos.</u>	<u>Amounts</u>
SECTION 8 VOUCHER	149716-150779	\$1,923,164.54
	207093-207117	\$28,476.30
	103315-103349	\$44,117.00
	15025-15026	\$73.00
FEDERAL FUND	116728-116805	\$418,792.78
REVOLVING FUND	76683-76860	\$1,704,332.18
STATE FUND	8877-8886	\$47,086.63
200-C MOD	1877-1878	\$25,574.64
	<b>TOTAL</b>	<b>\$4,191,617.07</b>

**Invoices to be paid:** The Secretary presented the invoices to be paid as follows:

FEDERAL FUND	\$74,509.36
REVOLVING FUND	\$224,232.16
STATE FUND	\$12,131.62
200-C MOD	-----
ENERGY TRUST FUND	-----
	<b>TOTAL</b>
	<b>\$310,873.14</b>

A motion was made by Commissioner Medeiros, seconded by Commissioner Underhill, and carried by unanimous vote to pay the vouchers for the month of December, 2023.

**Communications:** None

**REPORT OF THE SECRETARY**

As part of the Management Reports, the federal application information, as of December 31, 2023, is as follows:

Family.....	3188
Elderly.....	892
Mixed Population.....	1427

After a brief discussion, a motion was made by Commissioner Bentley, seconded by Commissioner Burns, and carried by unanimous vote to accept the Management Reports as submitted.

The next item was the Monthly Financial Operating Statements for the eight (8) month period ending November 30, 2023. A motion was made by Commissioner Medeiros, seconded by Commissioner Underhill, and carried by unanimous vote to approve the Monthly Financial Operating Statements, as presented.

**UPDATE FROM EXECUTIVE DIRECTOR**

Mr. Sbardella began by wishing everyone a Happy New Year!!

Mr. Sbardella advised that the Annual Audit for 2023, completed by MARCUM, was submitted to HUD, and there were no findings by the auditors. Mr. Sbardella added that it is now two (2) years in a row that the audit has been submitted in a timely manner, since the late submittal of the 2022 unaudited version.

Mr. Sbardella advised that the Management Department staff will be relocated, effective on January 16, 2024, and added that this is something that was routinely done every two (2) or three (3) years in the past. This allows for a change from their current assignments, while also becoming more familiar with other sites and resident populations. Some staff members are uncomfortable with change, while some are looking forward to the moves. Mr. Sbardella believes that this change makes for a well-rounded and experienced staff.

Commissioner Burns, while in agreement with the reasoning behind the changes, asked if there is anything in the Collective Bargaining Agreements that prohibits the Authority from doing so, and wanted to make sure it is legal. Mr. Sbardella assured the Commissioners that there is nothing that prohibits the administration from periodically relocating management staff; that they have not been moved for a number of years and he and Mr. McCoy felt it was a good time to do so.

Mr. Sbardella advised that the FRHA will be submitting an application to EOHLC (formerly DHCD) for a grant to hire an additional Resident Service Coordinator (RSC) to assist our current RSC in servicing our over 400 residents in State-aided housing, as well as residents in our 18 Federal sites who may be in need of support services. The deadline for submitting the application is January 19, 2024. The Commissioners agreed that submitting this application for funding an additional Resident Service Coordinator would be beneficial to our residents.

Regarding goals for 2024, Mr. Sbardella advised that we will continue to strive for better customer service to our residents, a positive work environment for our staff, a vacant unit turnover rate of less than 29 days, lease-up of ready units in less than 29 days and to aggressively stay on top of our tenants accounts receivables (TARs) utilizing in-house and court ordered agreements. The current occupancy rate in our State-aided units is 99%; and the current occupancy rate in our Federally-aided units is 98%, both of which Mr. Sbardella commended staff for achieving.

Mr. Sbardella's report was for information only and no vote was required.

## **NEW BUSINESS**

### **MODERNIZATION**

The Board was briefed on the following Modernization item.

The lone item was the Certificate of Substantial Completion for the Crawl Space Ventilation Project at Sunset Hill, Mass. 6-1.

The General Contractor, Encore Contracting Services, Inc., substantially completed work on December 29, 2023. Approval was recommended.

The following resolution was introduced by Commissioner Burns, read in full and considered:

**RESOLUTION NO. 1**

BE IT RESOLVED BY THE MEMBERS OF THE  
FALL RIVER HOUSING AUTHORITY:

That the Certificate of Substantial Completion for the Crawl Space Ventilation Project at Sunset Hill, Mass. 6-1, be approved and designating and authorizing the Chairwoman to execute the Certificate of Substantial Completion.

Commissioner Burns moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner Bentley, and the "Ayes" and "Nays" were as follows:

<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSENT</u></b>
Commissioner Burns	None	
Commissioner Bentley		
Commissioner Underhill		
Commissioner Medeiros		
Chairwoman Sahady		

The Chairwoman thereupon declared said motion carried and said resolution adopted.

**MISCELLANEOUS**

The Board was presented with a brief outline regarding the submission of our FY2024/2025 Agency Plan to the Department of Housing & Urban Development (HUD) and EOHLC (formerly DHCD) Annual Plan. As required by HUD, the Authority has developed its Agency Plan, in compliance with the Quality and Work Responsibility Act of 1998.

The Authority requested the Board's approval of both Plans and permission to submit same to HUD and EOHLC. As part of the Agency Plan, the Fall River Housing Authority is required to submit certifications that we are accurately following the regulations set forth, including the Five-Year Plan and Annual Plan and Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan.

The following resolution were introduced by Commissioner Underhill, read in full and considered:

**RESOLUTION NO. 2**

BE IT RESOLVED BY THE MEMBERS OF THE  
FALL RIVER HOUSING AUTHORITY:

That the Five-Year Plan and Annual Plan for the Fall River Housing Authority for Fiscal Year beginning April 1, 2024, (hereinafter referred to as the Plan), as outlined in the HUD form, entitled "PHA Certifications of Compliance with the PHA Plan and Related Regulations" signed by the Chairwoman and Executive Director, and submitted to the Department of Housing & Urban Development (HUD) be approved.

That the Fall River Housing Authority certifies the information contained in HUD Form No. 50075, entitled "Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan", signed by Mayor Coogan, City of Fall River, and submitted to the Department of Housing & Urban Development (HUD), is true and accurate.

Commissioner Underhill moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner Burns and the "Ayes" and "Nays" were as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Commissioner Underhill Commissioner Burns Commissioner Bentley Commissioner Medeiros Chairwoman Sahady	None	

The Chairwoman thereupon declared said motion carried and said resolution adopted.

The next item was the Open Meeting Law (OML) Complaint filed by Patrick Higgins in reference to the December 11, 2023 Regular Board meeting.

Attorney Sousa responded to Mr. Higgins, confirming that the FRHA received his OML complaint. In addition, Attorney Sousa sent a written request to the Attorney General's office for an extension of time for the Board of Commissioners to meet regarding this OML complaint since the next Board meeting was not scheduled until after the fourteen (14) day statutory requirement for the Board to take action. The Authority received a written response from Elizabeth Carnes Flynn, Assistant Attorney General, (Director of the Division of Open Government), authorizing the extension to January 26, 2024 to resolve this issue.

Attorney Sousa requested the Board's permission to respond to Mr. Higgins' OML complaint by said deadline date.

The following resolution was introduced by Commissioner Burns, read in full and considered:

**RESOLUTION NO. 3**

BE IT RESOLVED BY THE MEMBERS OF THE  
FALL RIVER HOUSING AUTHORITY:

That permission for Attorney Michael Sousa, General Counsel, to respond, in writing, to the December 11, 2023 Open Meeting Law (OML) Complaint filed by Mr. Patrick Higgins, before the extended deadline date of January 26, 2024, is approved.

Commissioner Burns moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner Medeiros, and the "Ayes" and "Nays" were as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Commissioner Burns Commissioner Medeiros Commissioner Underhill Commissioner Bentley Chairwoman Sahady	None	

The Chairwoman thereupon declared said motion carried and said resolution adopted.

The next item was the Independent Auditing Services Contract. Two (2) CPA firms responded to a recent solicitation for independent auditing services, as follows:

<u>COMPANY NAME</u>	<u>RATING</u>	<u>PRICE PROPOSAL</u>
MARCUM	Highly Advantageous	\$93,500.00
Clifton Larson Allen	Highly Advantageous	\$95,000.00

Based on their highly rated technical proposal and reasonable price quotation, it was recommended that a two (2) year contract to awarded to MARCUM, for independent auditing services and AUP filings, in an amount not to exceed \$93,500.00. It was noted that MARCUM has been responsible and professional during prior fiscal audits, and they submitted a price that was slightly cheaper than CLA, while neither price was deemed unreasonable. Approval was recommended.

The following resolution was introduced by Commissioner Medeiros, read in full and considered:

**RESOLUTION NO. 4**

BE IT RESOLVED BY THE MEMBERS OF THE  
FALL RIVER HOUSING AUTHORITY:

That permission to award a two (2) year contract for Independent Auditing Services and AUP filings, to MARCUM, in an amount not to exceed \$93,500.00, is approved.

Commissioner Medeiros moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner Underhill, and upon roll call, the "Ayes" and "Nays" were as follows:

<u>AYES</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Medeiros Commissioner Underhill Commissioner Burns Commissioner Bentley	Chairwoman Sahady	

The Chairwoman thereupon declared said motion carried and said resolution adopted.

The next item was the Constable Services Contract. Two firms responded to a recent solicitation for constable services, as follows:

<u>COMPANY NAME</u>	<u>CONTRACT AMOUNT</u>
Stephen P. Medeiros	\$29,000.00
Patrick Duddy	\$65,000.00

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Based on the information provided by Patrick Duddy, President of Bristol County Civil Process, during the Citizen Input period, and subsequent discussions, it was recommended that this item be tabled until the February 12, 2024 Board meeting, in order to give the FRHA sufficient time to determine the validity of Mr. Duddy's concerns.

The following resolution was introduced by Commissioner Bentley, read in full and considered:

**RESOLUTION NO. 5**

BE IT RESOLVED BY THE MEMBERS OF THE  
FALL RIVER HOUSING AUTHORITY:

That permission to table the award of a two (2) year contract for  
Constable Services, until the February 12, 2024 Board meeting,  
is approved.

Commissioner Bentley moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by Commissioner Burns, and the "Ayes" and "Nays" were as follows:

<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSENT</u></b>
Commissioner Bentley	None	
Commissioner Burns		
Commissioner Underhill		
Commissioner Medeiros		
Chairwoman Sahady		

The Chairwoman thereupon declared said motion carried and said resolution adopted.

**ELECTION OF OFFICERS**

It was announced that it was in order to proceed to the matter of the election of the Chairperson, Vice-Chairman and Treasurer for the calendar year 2024.

Commissioner Burns made a motion that **Mary L. Sahady** be nominated to the office of Chairwoman.

Commissioner Underhill seconded the motion.

Upon a motion duly made by Commissioner Burns, seconded by Commissioner Underhill, and carried by unanimous vote, nominations were closed.

Vote of election for **CHAIRWOMAN** was taken with the following results:

<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSENT</u></b>
Commissioner Burns	None	
Commissioner Underhill		
Commissioner Medeiros		
Commissioner Bentley		
Chairwoman Sahady		

**Mary L. Sahady** was declared elected to the office of the **Chairwoman**.  
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Commissioner Burns made a motion that **David Underhill** be nominated to the office of Vice-Chairman.

Commissioner Bentley seconded the motion.

Upon a motion duly made by Commissioner Burns, seconded by Commissioner Bentley, and carried by unanimous vote, nominations were closed.

Vote of election for **VICE-CHAIRMAN** was taken with the following results:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Commissioner Burns	None	
Commissioner Bentley		
Commissioner Medeiros		
Chairwoman Sahady		
Commissioner Underhill		

**David Underhill** was declared elected to the office of the **Vice-Chairman**.

Commissioner Underhill made a motion that **Jason Burns** be nominated to the office of Treasurer.

Commissioner Medeiros seconded the motion.

Upon a motion duly made by Commissioner Underhill, seconded by Commissioner Medeiros, and carried by unanimous vote, nominations were closed.

Vote of election for **TREASURER** was taken with the following results:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Commissioner Underhill	None	
Commissioner Medeiros		
Commissioner Bentley		
Chairwoman Sahady		
Commissioner Burns		

**Jason Burns** was declared elected to the office of the **Treasurer**.

At 5:25 p.m. a motion was made by Commissioner Underhill seconded by Commissioner Burns, and carried by unanimous roll call vote to adjourn the meeting.



Kevin Sbardella, Secretary