

MINUTES OF A SPECIAL MEETING  
- OPEN SESSION -  
OF THE SPRINGFIELD HOUSING AUTHORITY  
HELD ON MAY 30, 2017

The members of the Springfield Housing Authority met in Open Session at the Conference Room of the Springfield Housing Authority at 60 Congress St., Springfield, Massachusetts at 5:00 PM on May 30, 2017.

A copy of the Notice of Meeting, pursuant to Section 23B of Chapter 39 of the Massachusetts General Laws, as amended, with the Certificate as to Service of the Notice, was ordered spread upon the minutes of the meeting and filed for records.

NOTICE OF MEETING

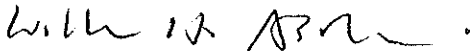
Notice is hereby given in accordance with Section 23B of Chapter 39 of the Massachusetts Laws, as amended, that a special Meeting of the Board of Commissioners of the Springfield Housing Authority will be held at 5:00 PM on Tuesday, May 30, 2017 in the Conference Room of the Springfield Housing Authority at 60 Congress Street, Springfield, MA 01104.

SPRINGFIELD HOUSING AUTHORITY  
/s/William H. Abrashkin, Executive Director  
May 25, 2017

CERTIFICATE AS TO SERVICE OF THE NOTICE OF MEETING

I, William H. Abrashkin, the duly appointed and qualified Secretary of the Springfield Housing Authority, do hereby certify that on May 25, 2017 I filed in the manner provided by Section 23B, Chapter 39 of the Massachusetts General Laws, as amended, with the Clerk of the City of Springfield, Massachusetts, a Notice of Meeting of which the foregoing is a true and correct copy.

Attest:



William H. Abrashkin/Executive Director/  
Secretary to the Board

Chairman Thomas called the meeting to order at 5:10 PM, and those present upon roll call were as follows:

PRESENT

Thomas Labonte  
Jessica Quinonez (arrived at 5:34pm)  
Angela Robles  
Willie Thomas  
Raymond Warren

ABSENT

ALSO PRESENT

William Abrashkin  
Priscilla Chesky, Lyon & Fitzpatrick, LLP  
Fidan Gousseynoff

The Board reviewed the Minutes of May 16, 2017. Upon a motion made by Commissioner Robles, seconded by Commissioner Labonte, it was by majority vote (Commissioner Warren abstained)

VOTED: to approve the Minutes of May 16, 2017.

The Board reviewed materials and a recommendation to approve the amendment to the Contract with Lyon & Fitzpatrick for legal services. In response to Chairman Thomas's request to clarify the dates of the Contract Attorney Chesky explained that the Contract was awarded in 2015 to be effective 1/1/16. This is a 3 year contract with a potential of extension for 2 more years subject to the Board's approval. The new amendment suggested to the Board is effective immediately through the end of 2017 and Lyon & Fitzpatrick intend to use the same terms through the remainder of the Contract but it could be further discussed with the SHA staff at the end of the year. Ms. Chesky reminded that the Contract runs on a calendar year not on a fiscal year. According to the original Contract, the SHA was billed every month for a retainer of \$16,000 plus expenses and the difference between the retainer and the actual costs was billed to SHA separately if the cost of services provided was more than the retainer amount. If actual costs of legal services were less than the \$16,000, L&F was supposed to refund the SHA.

Ms. Chesky provided a brief overview of services provided by L&F in 2016. She reminded about a fire case at Orchard Manor in January 2016 which resulted in extensive litigation and over a week long of trial and required lots of time and efforts. SHA was billed over \$48,000 for that case only. Ms. Chesky explained that in the beginning of the 1<sup>st</sup> Contract, most of the services provided by L&F were for non-payment of rent which are easier to handle. Since the end of 2014-2015 there was a major shift with 85-88% of cases now filed at the Housing Court and District Court being cause cases which require more staff time, effort and energy. Priscilla Chesky brought an example that only one of the SHA Districts currently has 30-40 lease violations cases. In 2016 the actual cost of services provided by L&F significantly exceeded the monthly retainer amount and L&F agreed to cut its reconciliation bill in half.

In response to Commissioner Warren's inquiry Ms. Chesky confirmed that the amended version of the Contract left the dates intact and only changed the payment term so that the SHA will not be charged over the retainer amount unless there is an extraordinary litigation like Santana case. Ms. Chesky added that her firm is also working on some other cases which are not billed to the SHA but are covered by its insurance.

Commissioner Warren referred to a correspondence he has recently had with Judge Abrashkin who answered some questions he had had with respect to legal services provided by Lyon & Fitzpatrick, namely, complaints from the managers about slow response, a possibility of using a hybrid "in-house" model and ability of the management to control the authorization of legal costs. Mr. Warren inquired if any authorization to incur legal costs comes from Deputies only. He commented that it is hard to know if increase in legal expenses has been caused by not having enough control for that authorization or because there have been more problems caused by SHA tenants.

Priscilla Chesky stated that her legal firm was first hired, there were enormous number of accounts receivable problems so that herself and her colleagues had to spent most time in court trying to collect rent. SHA District Manager and Deputies Executive Director have done a remarkable job to bring rent collection under control. As an example, the amount of rent owed to District B reduced from \$120,000 to \$20, 000. Since number of non-payment cases has slowed down, the managers now have more opportunities to deal with lease violations like drugs, unauthorized occupants, pets, bad housekeeping, violence etc. After annual inspections or REAC inspections number of cases against lease violations increase even more. Ms. Chesky reported that she and Michelle Booth have been meeting on a monthly basis with the managers of District B and District E to go over each case. She assured that Ms. Booth and Ms. Contois are both informed about each case and each request for services initiated by the Managers; both Deputies are copied on all communication she has with the staff.

Going back to Commissioner Warren's question about slow response, Executive Director Abrashkin stated that he has not heard any complaints from the staff recently. He believed that at some point due to staffing changes at L&F and big workload there were certain problems with timely response but since new people were hired at L&F, the SHA staff has been satisfied with the level and timelines of the services provided. He reminded that he had offered the Manager to serve like ombudsman the managers can contact if any problems occur.

Ms. Chesky told the Board that she has suggested the Managers to prioritize the cases taking into account that there is only a limited number of hours when judges at District Court or Housing Court can review cases. She said, that, for example only last Friday she had 21 SHA cases at the Housing Court.

Answering Chairman Thomas's question Attorney Chesky confirmed that a L&F staff member started working in the SHA main office two days every week to review all the cases and assist the staff with legal issues. So far Ms. Chesky took that responsibility but as soon as training of the two new associates hired in May is complete, one of them will be working at 60 Congress Street each Monday and Wednesday. Both associates have been to Court with Ms. Chesky to get familiar with the cases.

Jessica Quinonez entered the Conference Room at 5:34 pm.

Commissioner Labonte requested a clarification on Commissioner Warren's question. He referred to a discussion the Board had last year with regards to authorization of requests for legal services which was considered to be a large issue. Attorney Chesky responded that she is not aware if the SHA management has had discussed that issue with the staff. She stated that since both Deputies are copied on all correspondence sent to her by the District Managers, if there would have been an issue with initiating a case, Ms. Booth or Ms. Contois would have interfered. Each case for all Departments supervised by Michelle Booth has been discussed at monthly meetings and both Ms. Booth and Ms. Contois are aware about all the cases handled by Lyon & Fitzpatrick. Ms. Chesky informed that she and Nicole Contois have also been planning to start regular meetings to overview all

the cases for District A and District D which usually do not have as many lease violations as those Districts supervised by Ms. Booth.

In response to Commissioner Labonte's question on how payment for L&F staff members assigned to work at 60 Congress Street will be covered, Atty. Chesky explained that their salary will be paid by L&F and they will be tracking what type of work was done. She confirmed that each hour is charged for \$185. Each month the SHA will be billed for those hours worked for the agency cases however the total bill will not exceed \$16,000.

Commissioner Warren expressed his gratitude for the proposal to reduce legal bills, commented that he highly evaluates the services provided by L&F and agrees that there are so many legal issues to deal with but he expressed his concern that a level of control over authorization of services is not what he had hoped for. He inquired if legal costs are budgeted to each AMP and if they review legal bills. Judge Abrashkin indicated that all legal costs are charged to each AMP, and each month when financial reports are distributed, the managers get an opportunity to compare what was budgeted vs how much money has been spent. Finance Director JoAnn White also flags to the managers if their Districts' expenses exceed budgeted amounts.

Upon a motion made by Commissioner Warren, seconded by Commissioner Robles it was unanimously

VOTED: to approve the amendment to the Contract with Lyon & Fitzpatrick,

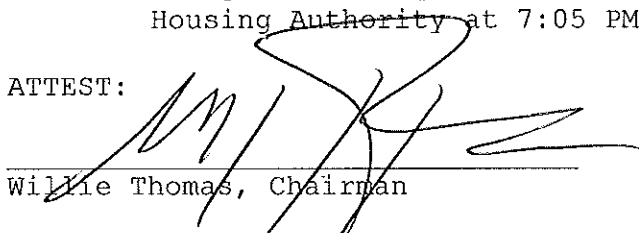
Upon a motion made by Commissioner Labonte, seconded by Commissioner Robles, it was by a roll call vote (Thomas - Aye, Labonte - Aye, Quinonez - Aye, Robles - Aye, Warren - aye) unanimously

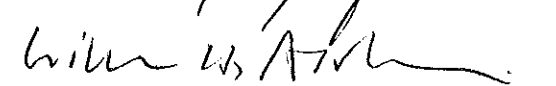
VOTED: To enter into Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and to reconvene in Open Session.

The Board reconvened in Open Session at 7:05 pm. There being no further business to come before the members of the Springfield Housing Authority Board, upon a motion made by Commissioner Labonte, seconded by Commissioner Robles, it was unanimously

VOTED: To adjourn the Open Session of a Special Meeting of the Springfield Housing Authority at 7:05 PM.

ATTEST:

  
\_\_\_\_\_  
Willie Thomas, Chairman

  
\_\_\_\_\_  
William H. Abrashkin, Executive Director