

Housing Authority
of the
Town of Exeter
277 Water Street
Exeter, NH 03833-1719
(603)778-8110 or (603)778-1479
FAX: (603)772-6433

M I N U T E S
Board of Commissioners
Thursday, April 4, 2013 1:00 p. m.
Community Room, 277 Water Street
Exeter, NH 03833

1. Roll Call – The roll call was taken. Present at the meeting were:

Acting Chair Person	Barbara Chapman
Commissioner	George St. Amour
Commissioner	George Bragg
Commissioner	Boyd Allen
Executive Director	Tony Teixeira
Maintenance Supervisor	Dustin Marzinzik
Secretary	Claire Purple

Absent:

Commissioner	Renee O’Barton
Section 8 Manager	Margaret Dooling

2. Approval of Minutes of March 7, 2013/June 7, 2012 Meetings – Commissioner St. Amour made a motion to approve the minutes of March 7, 2013 seconded by Commissioner Allen and the vote was 4 ayes 0 nays.

3. Election of Officers – Commissioner Allen nominated Barbara Chapman as Chair Person of the Board of Commissioners. Commissioner Bragg seconded the motion and the vote was 4 ayes 0 nays. Commissioner Allen nominated Commissioner O’Barton as Vice Chair Person. It was seconded by Commissioner St. Amour and this nomination was accepted by all Board members. Chair Person Chapman thanked the Board.

4. Adoption of Limited Access/Barring Policy – As there were no questions regarding this Policy Chair Person Chapman read the following:

Board Resolution of the Exeter Housing Authority Adopting a Limited Access and Barring Policy

The following resolution was introduced by Chair Person Chapman on April 4, 2013 and read in full and considered:

RESOLUTION NUMBER 4-2013

Be it resolved by the Board of Commissioners to adopt a **Limited Access and Barring Policy**, as attached to be enforced at all Exeter Housing Authority properties.

Commissioner Barbara Chapman moved that the foregoing Resolution be adopted as introduced, which motion was seconded by **Commissioner St. Amour** and upon a roll call the "Ayes" and "Nays" were as follows:

AYES

NAYS

Commissioner Boyd Allen
Commissioner George St. Amour
Commissioner George Bragg
Commissioner Barbara Chapman

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Chair Person Chapman thereupon declared said motion carried and said resolution was adopted on April 4, 2013.

Mr. Teixeira responded now that this Policy has been adopted we will be in touch with the Exeter Police Department to let them know that this Policy is now in force and Jill Birch will be the administrator of the Policy.

Signs will be posted at our properties and Mr. Marzinzik displayed these signs for the Board members and meeting attendees.

5. Old Business

a. Update on Impact of Sequestration

Mr. Teixeira reported that he had an update on the sequestration and the news was much better than last month. We will face a 5.1% budget cut to both programs for the remainder of F/Y 2013. Talking with Howie Gordon (EHA fee accountant) he believes that other than the Administration fee which is likely to be cut by \$20,000, that overall we should be okay through the end of 2013.

As for the HAP subsidy, Howie informed us that because our Net Restricted Assets (NRA) exceeds the amount of subsidy we will lose as a result of the budget cut, we will have sufficient funds on hand to continue to maintain around 166 vouchers through the end of 2013 without dipping into our HAP reserve, this is great news. Howie encourages us to maintain the 166 units because that's how they determine what our HAP assistance will be for 2014.

The Public Housing Subsidy also looks good. Howie believes that even with the budget cut of 5.1% he expects that we will receive more funding than he has budgeted for 2013. Howie is recommending that we plan on pulling \$20,000 out of the Administration reserve and continue with business as usual through the end F/Y 2013.

6. Maintenance Supervisor's Report – Mr. Marzinzik reported on the following:

Spring Clean Up

Philips Exeter Students will be here on April 17th to help with the spring clean up of the 277 Water Street grounds.

Annual Inspections

Annual Inspections were completed on all the units at 277 Water Street and at all the family units during the month of March. Work orders for any minor items were completed at this time.

We will be busy this spring with plow cleanup and planting grass.

7. Section 8 Manager's Report Mr. Teixeira reported on the following:

March Unit Totals and Figures:

March :	168 Units	\$102,645	Hap (excluding Port Ins)
	3 Port ins	457	Utility Reimbursement
Total	165 Units	\$103,102	Total HAP

8. 10-Minute Audience Participation – A tenant asked when the no trespassing signs will be going up. Mr. Marzinzik replied that the ground is still too frozen to put them in now. The signs basically are geared to no soliciting or loitering on the properties. Mr. Teixeira added that we do not want folks coming on to the property vandalizing cars, personal property or harassing residents. If we have an issue with an individual we can bar them from the property and issue them a barment letter which will prevent them from coming onto our property. We will be working with our local Police Department to enforce this.

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Chair Person Chapman added that we also need a "no dogs allowed" sign posted on the outside doors of the building at 277 Water Street". Mr. Marzinzik is working on these signs and they will be going up on all of the outside doors.

A tenant thanked the Maintenance Department for the great job they did on the walkways and parking lots this past winter.

9. Executive Director's Report

Sewer Interceptor Project:

We received word last week that the project is scheduled to resume sometime around the end of May. What remains to be completed on our property is the overlay of the north and main lots which will include striping and numbering of the parking spaces along with additional lawn repair.

We have money budgeted in this year's Capital Improvement Plan to overlay the south parking lot so we could have them all done at one time and have asked Bob Daigle from Underwood Engineers if we could piggy back onto the Town contract for our project. Bob Daigle will investigate the possibility and let us know. This approach would save us time and money.

Refrigerator Replacement (Unitil Grant):

We received a \$28,000 check last week from Unitil to cover the cost of replacing the balance of the old refrigerators. We are planning on doing this project around the middle of May to get the balance of those refrigerators in.

Energy conservation measures to attic at Water Street (Unitil Grant)

We are being told that the EHA and residents would see substantial energy savings with the energy conservation measures that are being proposed by Unitil. The air sealing along with the additional insulation would increase the R-Value in the attic from R-19 to R-60.

The hang up at this point is that the expense associated with removing the existing bad insulation is costly and making it difficult to justify the project. Everything would be made air tight and focusing on anywhere there is a penetration in the ceiling.

Fire Alarm Activation Instructions:

We contacted the Exeter Fire Department and shared the concern that was expressed by some of the residents at the last meeting on what to do when the fire alarm is activated. With the help of the EFD we put together some general instructions and placed a laminated copy and placed them on the back of the door in each of the apartments. We are hopeful that this will help with some of the confusion.

Occupancy for Public Housing is at 100% and the budget is very good through five (5) months. Public Housing is \$27,012 in the black and Section 8 is \$179 in the red.

As there was no further business Commissioner Allen made a motion to adjourn, seconded by Commissioner St. Amour and the vote was 4 ayes 0 nays.

Before the meeting adjourned Mr. Teixeira presented a plaque to Commissioner St. Amour who has been on the Board since 1997. He has been a big part of all the improvements that have taken place over the years and played a big role in getting these projects completed. He has provided a great service to the Housing Authority and to the community.

The meeting adjourned at 1:50 p. m.

Respectfully Submitted,



Antonio Teixeira
Executive Director



Barbara Chapman
Acting Chair Person

Board Resolution of the Exeter Housing Authority Adopting a Limited Access and Barring Policy

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Commissioner Barbara Chapman moved that the foregoing Resolution be adopted as introduced, which motion was seconded by **Commissioner St. Amour** and upon a roll call the “Ayes” and “Nays” were as follows:

<u>AYES</u>	<u>NAYS</u>
Commissioner Boyd Allen	
Commissioner George St. Amour	0
Commissioner George Bragg	
Commissioner Barbara Chapman	

Chair Person Chapman thereupon declared said motion carried and said resolution was adopted on April 4, 2013.

LIMITED ACCESS AND BARRING POLICY

This Limited Access and Barring Policy ("Policy") is made effective this 4th day of April, 2013, by Boyd Allen, George St. Armour, Barbara Chapman, George Bragg, and Renee O'Barton in their capacity as Board of the Exeter Housing Authority ("Board").

WHEREAS, the Exeter Housing Authority's ("EHA") mission, pursuant to the terms of its lease agreement and state and federal law, is to provide safe, secure, and decent housing and to safeguard the quiet enjoyment of its property for its residents and employees, and

WHEREAS, the EHA has a significant interest to prevent the commission of trespass, vandalism, drug use, and other harmful, improper, or criminal behavior within and adjacent to its property, and

WHEREAS, the elimination from EHA property of persons with no legitimate business or purpose on EHA property and/or who commit criminal activity or other harmful or improper behavior is a reasonable means to prevent said activity from occurring on EHA property while safeguarding the quiet enjoyment for residents, and

WHEREAS, the EHA desires to adopt a limited access and barring policy that effectuates its mission and interests while permitting constitutionally protected expression.

NOW THEREFORE, pursuant to the powers vested in EHA pursuant to RSA 203, the Board hereby adopts the following Policy:

Introduction

Section 1: Purpose - The purpose of this Policy is to limit access and use of EHA property to EHA employees, EHA residents and members of their households, EHA resident guests and visitors (as defined in their leases), and such other persons who have a legitimate purpose or business at EHA developments. A person who does not have a legitimate purpose to be on EHA property shall not be permitted on the property.

Section 2: Applicability - This Policy applies to all public housing developments owned and/or managed by the EHA and all the property of EHA.

Definitions

Section 3: "Legitimate Purpose" shall mean any purpose or activity compliant with local, state, and federal law and one specifically associated with the EHA, its business operations, its tenants, tenant household members, or an activity performed at the request or

direction of EHA - its agents or contractors. The following persons are presumed to have a legitimate purpose on EHA property and are not subject to barment of the EHA, unless otherwise mandated by EHA policy or by law:

3.1. EHA tenants and tenant household members;

3.2. Guests and visitors of EHA tenants who are accessing the development within the scope of their invitation;

3.3. EHA employees, commissioners, representatives, agents, contractors, and law enforcement officials carrying out official EHA business on EHA property; and

3.4. Persons, not aforementioned, who are on EHA property with EHA's express permission and who are not otherwise violating EHA policy or law on the property.

Section 4: "Non-Legitimate purpose" is any purpose or activity in violation of this Policy or any local, state, or federal law or regulation. There is a rebuttable presumption that the following persons do not have a legitimate purpose on EHA property:

4.1. All persons who are not EHA employees, commissioners, representatives, agents, contractors, and law enforcement officials carrying out official law enforcement business, and also are not EHA tenants or guests and visitors of EHA tenants; or

4.2. All persons who have a conviction of a misdemeanor or felony crime in New Hampshire or other states or any federal law; or

4.3. All persons who fall within the category of 4.1. and 4.2.

Policy:

Section 5: Barment - Any person in an EHA development or property will be required to identify himself or herself upon request by any law enforcement officer or EHA personnel by showing appropriate written identification and articulating a legitimate purpose to be on EHA property.

5.1. The first time an individual is determined to be without a legitimate purpose on EHA property, they may be asked to leave the property immediately, and may be issued a "Trespass Warning."

5.2. Warned persons who return to the property without a specific legitimate purpose are subject to temporary or permanent barment from the property.

5.3. Barred persons shall be provided written notice of their barment in a "Barment Notice." Among other things, the Barment Notice shall advise the person that he/she will be trespassing, within the definition of RSA 635:2, I, if he/she knowingly returns to EHA property; state the reasons for denying entry; specify the time period that the barment is effective; and provide notification of the individual's right to appear before the Executive Director of the EHA to appeal the barment, as well as the process to do so.

5.4. The duration of the barment is within the discretion of the EHA, and may be renewed at expiration, depending upon the specific circumstances. However, except in special circumstances, no initial temporary barment period shall exceed a period of one (1) year. The EHA shall make its best efforts to enforce this Policy, and levy barment durations, uniformly and in accordance with EHA procedures.

5.5. In extraordinary circumstances involving an emergency or other unusual circumstances, for good cause shown, the EHA Executive Director, in his/her discretion, may decide to dispense with any or all notice requirements of this Policy.

Section 6: Barment List - In cooperation with local law enforcement, EHA shall maintain and regularly update a list of persons who have been issued Barment Notices, on a "Barment List." All pertinent EHA staff shall receive copies of the initial and updated Barment List, as shall local law enforcement.

6.1. EHA shall develop reasonable procedures for the removal of persons from the Barment List, as well as procedures governing a grievance process for persons wishing to contest their inclusion on the Barment List.

Section 7: Enforcement - EHA shall enforce this Policy through collaboration with local law enforcement and pursuant to RSA 635:2. EHA authorizes the Exeter Police Department to make inquiries of persons on EHA property, to issue Trespass Warnings, and to inform any person without a legitimate purpose to be on EHA property that he/she may be subject to arrest if they violate the Trespass Warning or Notice of Barment. Local law enforcement officers shall be contacted to remove all barred persons who have returned to EHA property in violation of this Policy.

Section 8: Training and Accountability - EHA shall train all housing managers and other pertinent personnel, on the proper implementation of this Policy so that the Policy is carried out thoroughly and uniformly. The EHA Executive Director shall appoint an EHA staff member to coordinate and oversee all barments pursuant to this Policy and shall make recommendations to the Executive Director as to updates and/or changes to this Policy. The EHA staff member shall maintain records of all Trespass Warnings, Barment Notices, and Barment Lists, shall purge

names from the Barment List as appropriate, and shall appear in court proceedings related to the enforcement of said warnings, notices and lists. To the extent practicable, "read only" copies of Trespass Warnings, Barment Notices, and Barment Lists shall be maintained and disseminated among EHA staff and law enforcement via computer, with appropriate confidentiality safeguards in place.

Section 9: Communication and Advertisement - EHA shall develop and disseminate appropriate brochures, flyers, "no trespassing" signage, and/or other methods to communicate the terms of this Policy to EHA residents and non-residents who enter EHA property.

Section 10: Waiver - Nothing in this Policy is intended to waive, replace, supercede, or otherwise limit EHA's ability to exercise any and all rights or options available to it by law. A decision by any employee of EHA in one circumstance relating to one person shall not constitute a waiver of EHA's rights or opinions under this Policy relating to another person.

Section 11: Solicitations - Under no circumstances does EHA allow door-to-door sales solicitations in person, or through the use of notices or flyers from non-residents. The distribution of such solicitations is not a legitimate purpose. This section shall have no impact on the rights of local, state, and federal campaign workers to distribute campaign materials pursuant to local, state, and federal law.