

MINUTES... REGULAR MEETING... JULY 12, 2021

The members of the Bethlehem Housing Authority met in a regular session Monday, July 12, 2021 at 4:30 P.M., at the Monocacy Tower, Community Room, 645 Main Street, Bethlehem, Pennsylvania. (Meeting also was available on Zoom) Those present and absent were as follows:

PRESENT

Mrs. Iris Linares, Chairperson
Mrs. Valerie McLendon, Vice Chairperson
Mrs. Susan Acevedo

ABSENT

Mr. Greg Solderitch
Mr. Rogelio Ortiz

Also present were: William W. Matz, Jr., Esq., Solicitor; Jay D. Schuster, Executive Director; Diana Moreno, Assistant Secretary; Housing Authority Staff Members; members of the general public.

The Minutes of the Regular Meeting of June 14, 2021 were presented. Mrs. McLendon made a motion to accept the minutes of June 14, 2021. Mrs. Acevedo seconded the motion.

Roll Call: Ayes - Acevedo/McLendon/Linares; Nays - None

Mrs. McLendon made a motion to approve the monthly bills for June 2021.
Mrs. Acevedo seconded the motion.

Roll Call: Ayes - Acevedo/McLendon/Linares; Nays - None

Under Old Business, Mr. Schuster reported one item. Jay read a letter of recommendation from Attorney Matz on the current proposal for the First Tee Building. After further review of the possible tenancy of Indio's Boxing Gym on Authority property, Attorney Matz cannot recommend further consideration to the Board of Commissioners. Attorney Matz has reached a conclusion for the following legal reasons without any opinions on the suggested community value that such a program may have within Authority property.

First, Indio's Boxing Gym has no organized legal structure and files no tax reports for the gym activities. Secondly, although Indio represents having an affiliation with USA Boxing and has presented a copy of a certificate of insurance via USA Boxing, conversation with Indio has not produced further verifiable documentation on the nature or extent of affiliation. Thirdly, the Authority cannot justifiably commit to the extensive renovation and improvement of an Authority building based on such marginal information, and moreover engage in activity based on tenancy with an organization without appropriate legal structure and/or verifiable support or finances consistent with the tenancy obligation. Accordingly, from a legal perspective, he cannot support further consideration of Indio's boxing gym as a viable tenant to Authority property. It could be a program which might be presented in an Authority building, but not as a tenant or a prospective tenant short of extensive renovation and improvements of Authority property with this individualized use. In the alternative, it is suggested that the Authority might engage a consultant to review community needs, usage demands, engineering concerns, and related costs for Board consideration in advance of further decisions on the renovation and use of the Authority building.

Attorney Matz stated there's complete transparency to the record. He has been contacted by a variety of individuals regarding this possibility, from counsel from the City Council, representative counsel for Indio, and counsel for the Boys and Girls Club of Bethlehem. He has reviewed the HUD requirements on usage and possible rental of this space, and there's some procedural things that should be done with HUD to finalize that so it's part of their record. He indicated in more detail that the use of the structure in advance of some sort of improvement cost that would also be reviewed by HUD and certainly would require certain engineering or other architectural review. He thinks the Commissioners would be well served by assessing what the needs are, because we may have conflicting needs within the HUD requirements as it relates to housing versus recreation, or some combination thereof, all which are undetermined at this time.

In addition, there needs to be an appropriate notice to the public concerning our intentions. Indio's boxing gym's interest has created some concern too, if we fulfill what the Commissioners ask in terms of being more particular there. In our process, this is an extensive paragraph to the Commissioners, requires that they go through certain qualifications and, none of which are available with the exception of an insurance policy which Indio had presented to us. So Attorney Matz concluded that the continuance of any further review of it in that context is that it's premature, and if he were to suggest to the Commissioners lacking some sort of policy and some sort of vetting process within the application, to make their presentation unacceptable to the Authority. The complication that we would have if we proceed, is that it would expose BHA as well as the Commissioners to certain practical and or legal concerns.

Attorney Matz suggested that we table this matter indefinitely until such time that we go through those processes in order to create the right foundation for consideration. That would start with some review from HUD to make sure that the building inventory portion of what you have there is upgraded or updated with HUD. He believes there is some movement toward doing that in the course of the next few weeks. It's very clear to him on a personal and practical basis, that Mr. Indio is serving the community in a wonderful way, he apparently has a lot of good friends whether in government or business that are part of the community and support the activity, so that the position I suggest here to the Board is not one that is just trying to create obstacles. So Attorney Matz suggested to the Board to take the time and have the administration report back on posturing the correct foundation for this.

Chairperson Linares asked that we table this indefinitely.

Mrs. Acevedo made a motion to table the Boxing Gym indefinitely.
Mrs. McLendon seconded the motion.

Roll Call: Ayes – Acevedo/McLendon/Linares; Nays – None

Under the Executive Directors' report, Mr. Schuster reported two items. First, the ongoing eviction moratorium has been extended again until July 31st 2021. They're almost certain that no further extension will happen after that, but we don't know for sure. Secondly, on Wednesday, July 14th, HUD will be meeting at BHA's request to discuss the local problem with loss of Housing Choice voucher participation. Market Rents in Bethlehem and around the Lehigh Valley are 30% above HUD payment standards, which means that if a unit's market rent is \$1000 a month it can be rented for \$1300. So that's 30% above what HUD would pay to a landlord, which has become a real problem.

Additionally, over fifty changes in landlord ownerships is resulting in a decline of any interest in the Section 8 program. As new landlords acquire properties in Bethlehem, they no longer want to participate in the Section 8 program because they can get market rents that are considerably higher. Jay requested HUD to meet with BHA to come up with some ideas as to how we can incentivize the landlords. The challenge that we have is that Section 8 administrative fees are tied to participation. Therefore, we're requesting HUD's assistance to stabilize the program as fewer landlords desire to participate, the fees that we receive to be able to care for the salaries and benefits of the Section 8 programs are decreasing.

Under Committee Reports, Scholarship Committee. Mrs. Moreno reported that she received a request for scholarship monies from one of our 2021 Scholarship recipient. She will be attending Penn State this summer.

Under Personnel Committee, Chairperson Linares congratulated Ms. Zulma Rodriguez on her new position at the CHOO Office. "I'm sure she will do a great job."

Under the Deputy's Executive Director's report, Mr. John Ritter reported that the monthly meeting with the BHA Community Police officers will be held on Wednesday July 14th at which time they will review any drug or criminal activity occurring on our properties.

RESOLUTIONS: APPROVING OF THE ONE YEAR CONTRACT EXTENSION FOR PEST CONTROL SERVICE. NOTE: (Resolution is entered separately as a part of these minutes.)

Mrs. McLendon made a motion to approve the one year contract extension for pest control. Mrs. Acevedo seconded the motion.

Roll Call: Ayes – Acevedo/McLendon/Linares; Nays – None

Under New Business, Mr. Jay Schuster had three items. First, a request was made from the staff to, possibly change the time of the Board meeting from 4:30 PM to 4:00 PM. The Board agreed to the change.

Secondly, Chairperson Linares, had a request from City Councilwoman Olga Negron. An email was sent from Ms. Negron stating that she has been approached by low-income residents about the pool policy in the City of Bethlehem. Those families can't afford to purchase a season passes. The policy was changed quickly allowing season pass holders to come into the pools from noon to 1pm and daily passes thereafter. She was going to first ask BHA to purchase season passes for the youth of BHA properties, but since they are no longer selling season passes, how about giving the opportunity for some families to have their children enjoy Memorial Pool at least two or three times this summer. It would only be \$21 per child for three visits. Each pass to Memorial Pool is \$7 and adults are \$8. If you provide families with passes for the youth in their household it would be easier for the parents to purchase their tickets. You know the situation of the families living at your facility better than anyone, and I'm sure you can ensure that those needing this help will get it. I hope the Board can find some money that can be helpful to these families.

Lastly, Jay reported that Commissioner Roy Ortiz's term on the Board has been up for reappointment by the Mayor. He got a message from Attorney Karas in the Mayor's office, that Roy's appointment was up at the end of May and the Mayor would like to reappoint him.

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Chairperson Linares commented that for a large family it would cost a fortune to take them to the pool, so she can understand. Mr. Richard Snyder stated that he would have to check with HUD regulations on tenant allowable expenses. Richard will get an updated list to the commissioners.

Mr. Robert Robinson commented that we use to buy pool passes for the recreation department.

Attorney Matz suggested a motion authorizing the administration to proceed with pass availability for housing families to use the pool system, subject to the administration finding funding.

Mrs. Acevedo made a motion to authorize the administration to proceed with pool passes subject to administration finding funding. Mrs. McLendon seconded the motion.

Roll Call: Ayes – Acevedo/McLendon/Linares; Nays – None

Under Miscellaneous Reports, Other Business – Board Members, Solicitors, and Staff.

Mr. Kevin Lynn reported that he got sick in the laundry room because it's so hot in there.

Mr. Roberto Santiago, Bartholomew resident, reported that they're still having an issue with marijuana smoking in the building. He will continue to communicate with Mr. Jay Schuster and Ms. Zulma Rodriguez, Property Manager.

Chairperson Linares thanked Mr. Santiago for his comments.

Ms. Dolores Maldonado, Monocacy resident, brought up her concerns on the parking issue at Monocacy. Ms. Zulma Rodriguez said unfortunately we don't have enough parking for tenants. They do monitor the parking lot twice a week, and they take down the license plates of cars to make sure they're residents, and they do post notices in English and Spanish.

Mr. Charles Jablonski commented that BHA gives out a sticker to all BHA residents to put on their cars, but there are cars parked in the lot with no stickers. Mr. Jay Schuster stated that we need to become more aggressive and take action by towing unauthorized cars. Mrs. McLendon said we have to set an example.

Chairperson Linares noted that the next regular board meeting is scheduled for Monday, August 9 at 4:00 P.M. There being no further business to transact, Chairperson Linares declared the meeting adjourned.

J.D. Schuster

Jay D. Schuster
Executive Director