

FALMOUTH HOUSING AUTHORITY - COMMISSIONERS SPECIAL SESSION
BOARD MEETING MINUTES

Wednesday, April 10, 2024

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The Falmouth Housing Authority conducted a Special Session Commissioners Board Meeting(s) on Wednesday, April 10, 2024. The special session began at 4:30 p.m. The Board did its best to adhere to posted time frames, but times may have varied. The meeting was held via a virtual meeting pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020; extended to 2025. The public were invited to join in the general session meeting by going to:

Link: <https://us02web.zoom.us/j/89256112163>

Meeting ID: 892 5611 2163

Audio Access: 1-646-558-8656

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MEMBERS PRESENT: Stephen Patton - Chair
Michael Galasso
Kathleen Haynes

MEMBERS ABSENT: Patricia Favulli

STAFF PRESENT: Bobbi Richards, Executive Director
Charles Starr, Fiscal Officer (logged off at
Kevin Donovan, Maintenance Superintendent

OTHERS PRESENT: Josh Brosnan – SunWealth, Walter Gray – Power Options, David Leslie,

OPEN SESSION

At 4:30 p.m. Steve Patton called the meeting to order and read aloud that the Board was meeting via Zoom as permitted by the governor's orders.

Recognition, Announcements and Public Comments –

Bobbi Richards recognized new employee, Kevin Donovan, as the Maintenance Superintendent. Bobbi Richards asked permission for comments related to the solar presentation be accepted during the presentation, rather than during the public comment period. Steve Patton agreed. Bobbi Richards asked if the item "Remote deposit increase" can be tabled to the next meeting and the Fiscal Officer be excused to leave the meeting. Steve Patton agreed to all Charles Starr to leave the meeting and would address the tabling of the matter when presented during the session.

-Rose Morin Storm Doors – New Kappa Construction Substantial Completion -vote
The Board was provided payment application #1 for substantial completion, in the amount of \$47,999.00 for the removal of existing and installation of new storm doors at the Rose Morin property. Kevin Donovan informed the Board that a walk through was conducted with the

vendor. The project appeared to be well-installed. Two units have issues: a door was delivered damaged and a new door has been ordered; another door has slight damage from hitting the walk rail during installation. The vendor is going to address this issue. Michael Galasso asked if the retainage was sufficient to cover the damages; Bobbi Richards confirmed that monies were held back; Kevin Donovan confirmed that the amount withheld is sufficient to cover the damages.

Resolution 2024-126

Kathleen Haynes moved to approve the substantial completion of the Rose Morin Storm Doors project by New Kappa Construction, in the amount of \$47,999.00. Michael Galasso seconded.

A roll call vote was taken:

Steve Patton -aye

Michael Galasso-aye

Kathleen Haynes-aye

3 Ayes (Patton, Galasso, Haynes)

0-Nays

MOTION CARRIED

Items requiring discussion and vote:

-Sunwealth Solar proposal – vote

Josh Brosnan and Walter Gray provided an overview of the Executive Summary, which was provided to the Board, along with a revised proposal and other relevant documents. Michael Galasso suggested that the matter be tabled until a legal opinion regarding MGL 164 Sect 137 could be issued. The opinion would provide further protection to FHA regarding waiving procurement law as it applies to the issuance of RFPs for the project. It was believed that the legal opinion would be provided to FHA by PowerOptions; the Board agreed for Bobbi Richards to request a legal opinion from a law firm to be contacted by FHA. There remains question whether the Massachusetts statute applies to HUD-properties because they receive no state funding; they are federal properties. PowerOptions agreed to provide a list of housing authorities that have installed solar through their agency and were able to waive procurement requirements. It was decided that the matter would be tabled to the next meeting following a legal opinion and confirmation from HUD that MGL 164 Sect 137 applies to federally subsidized projects.

Resolution 2024-127

Kathleen Haynes moved to table the matter to the next meeting. Michael Galasso seconded.

A roll call vote was taken:

Steve Patton -aye

Michael Galasso-aye

Kathleen Haynes-aye

3 Ayes (Patton, Galasso, Haynes)

0-Nays

MOTION CARRIED

-Remote deposit increase – vote

The matter was tabled

Resolution 2024-128

Steve Patton moved to table the matter to the next meeting. Michael Galasso seconded.

A roll call vote was taken:

Steve Patton -aye

Michael Galasso-aye

Kathleen Haynes-aye
3 Ayes (Patton, Galasso, Haynes) 0-Nays MOTION CARRIED

Resolution 2024-129

At 4:56 p.m. Kathleen Haynes moved to adjourn. Kathleen Haynes seconded.

A roll call vote was taken:

Steve Patton -aye

Patricia Favulli-aye

Michael Galasso-aye

Kathleen Haynes-aye

4 Ayes (Patton, Favulli, Galasso, Haynes) 0-Nays MOTION CARRIED

Relevant Documents

“12/1/22-On-Site Due Diligence Memo” regarding On-Site Solar Plus Storage Program
Developer Selection Process”

MGL Chapter 164, Section 137

Power Option Cover Letter “Amendments to Model PPAs”, 8/7/23

Email from Eversource, 11/2/23, regarding “Cashed out solar projects-BTM solar”

Community Solar Share Initiative (COSSi) – Frequently Asked Questions

Revised Proposal & Executive Summary from Sunwealth and PowerOptions, April 2024

Draft Lease Agreement between Sunwealth and FHA

Draft Power Purchase Agreement between Sunwealth and FHA