PATCHOGUE COMMUNITY DEVELOPMENT AGENCY
WORKING AGENDA FOR MEETING OF
July 2, 2020
6:00 PM

I. **Pledge of Allegiance**

II. **Public Safety Statement**

III. **Approval of Minutes**
   a. Approval of Minutes of June 4, 2020

IV. **Financial Report**
   a. Section 8 Report
   b. Motion to hire Frank Franco as HQS Inspector
   c. CDBG Financial Report

V. **Community Development Block Grant Program**
   a. Village Hall Handicapped Ramp Status Report

VI. **Housing Choice Voucher Program**
   a. HUD Comments on Five-Year Plan

VII. **Public Authority Items**
   a. Annual Report of Operations and Accomplishments

VIII. **Other Business**

IX. **Public to be heard**

X. **Adjourn**
Present: Donald Wachsmuth, Toni Dean, Susan Brinkman, Patrick McHeffey, Ryan McGarry, Javier Kinghorn
Also Present: Marian H. Russo and Teresa Reilly

Call meeting to Order at 6:01 pm

I. Pledge of Allegiance
II. Public Safety Statement
III. Approval of Minutes – Approval of minutes of May 7, 2020

IV. Motion made by Member Susan Brinkman to approve the minutes of May 7, 2020, seconded by Member Patrick McHeffey, vote, motion carried.

V. Financial Report:
   a. Financial Statement review by Teresa Reilly
   b. Approval of payments and purchases out of HCV Administrative fees:
      i. Cleaning services – Village will provide additional cleaning service at a rate of: $212.24 per week.
      ii. Approve purchase of cleaning equipment in the amount of $ 165.17
      iii. Approve purchase of computers for remote working in a sum not to exceed $5,000.00.
      iv. Approve payment of invoice for Happy Software in the amount of $5,725.44.
         1. Discussion of the payments presented for approval- Motion made by Member Patrick McHeffey to approve all payments listed above, seconded by Member Susan Brinkman, vote, motion carried.
   c. Approval of payment out of CDBG funds – None
   d. Approval of annual raises of 2% for Marian Russo, Carmen Maldonado, and Teresa Reilly effective June 1, 2020. Motion made by Member Ryan McGarry to approve raises, seconded by Member Susan Brinkman, vote, motion approved.

VI. Community Development Block Grant Program
   a. Handicap Ramp at Village Hall- The CDA is looking into this for our next project

VII. Housing Choice Voucher Program
   a. Adopt waivers allowed by HUD to respond to Covid-19 and as set forth in PIH Notice 2020-5. Approval of CDA HUD Waivers motion to adopt the waivers for HUD during Covid-19. The Waivers we require have been read and discussed with M. Russo, motion to adopt waivers made by Member Patrick McHeffey, seconded by Member Susan Brinkman, vote, motion carried.

VIII. Public Authority
   a. Board Self-Evaluation

IX. Other Business

X. Public to be heard

XI. Motion to adjourn by Member Susan Brinkman seconded by Member Ryan McGarry. Meeting adjourned at: 6:40 pm

Next Meeting July 2, 2020
Agenda Summary

Motion to hire Frank Franco as HQS Inspector

Background
Request to hire Frank Franco as Housing Quality Standards Inspector at an hourly rate of $22.97. Mr. Franco has several years experience as an HQS Inspector. He is bilingual which is important for fair housing compliance providing language access to participants in the Section 8 program.

Additional Information

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Agenda Summary

HUD Comments on Five-Year Plan

Background
The CDA received a letter from HUD requesting additional information related to the Five-Year Plan. The Patchogue CDA has a reasonable accommodation policy included in the Administrative Plan for the Section 8 program which is available on the Village website. A report on the waiting list demographics has been produced. The CDA must adopt a Language Access Plan. A draft of a plan is included for adoption by the Board.

Additional Information

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<td>Letter from HUD</td>
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<td>Language Access Plan</td>
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Ms. Marian H. Russo, J.D.
Executive Director
Village of Patchogue CDA
14 Baker Street
P.O. Box 719
Patchogue, NY 11772

Subject: 2020-2024 Five-Year PHA Plan
NY128 Village of Patchogue, Community Development Agency
Task number: 20-01-28-1317

Dear Ms. Russo:

This letter is to inform you that the New York State Office of Public Housing has approved your Five-Year PHA Plan submission for your fiscal year beginning January 1, 2020. This approval of your Five-Year PHA Plan does not constitute an endorsement of the strategies and policies outlined in the Plan. In providing assistance to families under programs covered by this Plan, your agency will comply with the rules, standards, and policies established in your approved Plan, as provided in 24 CFR part 903 and other applicable regulations.

Your approved Plan and all required attachments and documents must be made available for review and inspection at the principal office of your Agency during normal business hours.

Please be advised that although your PHA Plan is approved, the Office of Fair Housing and Equal Opportunity (FHEO) is requesting that you submit the following documents to ensure that the PHA is FHEO compliant:

- Limited English Four-Factor Analysis and Language Assistance Plan
- Reasonable Accommodation Policy
- Housing Choice Voucher Waiting Lists Demographic Data

Please submit these documents to FHEO within the next 45 days to ensure that the PHA is Fair Housing Compliant. These documents can be sent to the attention of Fair Housing and Equal Opportunity at 26 Federal Plaza, Suite 3532, New York City, New York 10278.

If you have any questions regarding your PHA Plan or the information in this letter, please contact Mandy Clarke by email at Mandy.Clarke@hud.gov or by phone at 212-542-7906.

Sincerely,

Suen Ping Yip
Director, Housing Management Division
Office of Public Housing
I. INTRODUCTION

It is a policy of the Village of Patchogue Community Development Agency (CDA) to take reasonable steps to ensure meaningful access to the Housing Choice Voucher program and activities by limited English proficient (LEP) persons, taking into account the proportion of LEP persons in the eligible service population, the frequency with which LEP individuals come in contact with the program, the nature and importance of the service provided by the program, and the available resources.

A. Federal and HUD Guidelines

On August 11, 2000, President William Clinton signed Executive Order 13166, entitled Improving Access to Services for Persons with Limited English Proficiency, which took effect August 16, 2000 for the Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons with Limited English Proficiency. The Order states “each Federal Agency shall work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.” Persons with Limited English Proficiency (LEP) are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. Under the order, each federal agency is required to draft guidance specific to its recipients detailing general standards that will be applied.

In 2003, the Department of Housing and Urban Development (HUD) issued guidelines that were finalized on January 22, 2007. These guidelines apply to any recipient of HUD assistance, including, but not limited to, public housing agencies and assisted housing providers. Under the 2007 HUD Guidelines, recipients are required to make all of their programs accessible to Limited English Proficiency (LEP) persons. LEP persons within the scope of the guidelines include persons seeking housing assistance; persons seeking supportive services to become first-time homebuyers; persons seeking housing related social services, training, or any other assistance from HUD recipients; current public housing or Section 8 tenants; or parents or family members of these persons. The Guidelines set forth four factors to be balanced by recipients of Federal Funding when assessing the needs of and services to be provided to LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to
be encountered by the program;
2. The frequency with which LEP individuals come into contact with the program;
3. The nature and importance of the program, activity, or service provided by the program to the LEP population; and
4. The resources available to the grantee/recipient and the costs of providing LEP assistance.

Based upon this four-factor analysis, a recipient decides the nature and extent of language assistance it is able to provide and develops an implementation plan.

B. Compliance
Compliance with the 2007 HUD Guidelines is voluntary. However, recipients of Federal Funds, including the CDA, are required to comply with civil rights-related laws and programs and to provide meaningful access to LEP persons. Complaints filed with HUD of discrimination based on national origin due to failure to provide meaningful access will be investigated. Continued failure to provide meaningful access will result in the withdrawal of HUD funding.

C. Definitions:
1. Limited English Proficiency person. Any person who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English. Such person or persons shall be entitled to language assistance at no cost to themselves with respect to a particular type of service, benefit, or encounter.

2. Vital document. Any document that contains information that is critical for obtaining or maintaining the services or benefits that are supported by Federal funds, or that are required by law. Such documents may include but are not limited to applications, consent forms, notices of participant rights and responsibilities, disciplinary notices, letters or notices that require a response from the participant or beneficiary, legal notices, and notices advising LEP persons of the availability of free language services.

3. Interpretation. The act of listening to spoken words in one language (the source) and orally translating it into another language (the target).

4. Translation. The replacement of a written text from one language into an equivalent written text in another language. Note: Some LEP persons cannot read in their own
language and back up oral interpretation services may be needed for written documents.

5. Four-Factor Assessment. This is an assessment tool set forth by HUD to be used by the Recipient of federal funding to determine the extent of its obligation to provide LEP services. These four factors are: (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided the program to people’s lives; and (4) the resources available to the grantee/recipient and costs.

II. FOUR FACTOR ANALYSIS

A. The number or proportion of LEP person in the Village of Patchogue eligible to be served or likely to be encountered by the program.

When reviewing demographic data to analyze language assistance needs, it is important to focus on the languages spoken by those who are not proficient in English, and not simply individuals who speak multiple languages. According to the U.S. Census Bureau American Community Survey, 2018 ACS 5-year Estimates Data Profiles the Village of Patchogue has a total population of 12,324 persons. Of those over 5 years old there are 3,691 persons who speak a language other than English and 3,082 of those speak Spanish and 1,039 identified as speaking English “less than very well” percentages of 26.3% and 8.9% respectively. There are 152/3.4% persons categorized as speaking “Indo-European” languages less than very well and 213 total Asian and Pacific Islander Languages of which none identified as speaking English less than “very well”. The CDA Housing Choice Voucher program assists 163 households and a total of 270 persons. Of those 270 persons, 102 identified as Hispanic which accounts for 38% of the people we serve.

2. The frequency with which LEP individuals come into contact with the program.

Clearly there are Spanish speaking persons in the community who may come in with the CDA and indeed 38% of persons currently assisted by the Patchogue CDA are Hispanic. This percentage is higher than the percentage of Spanish speaking individuals in the Village of Patchogue who identify themselves as limited English proficient (8.9%) and higher than the number of individuals 5 years and older in the Village of Patchogue who speak Spanish (26.3%).

The CDA has three full-time employees, the Executive Director, Account clerk, and Section 8 Administrator. The Section 8 Administrator speaks Spanish. If the Section 8 Administrator is not available, the Village has other full-time employees in Village Hall who are able to help with interpretation.
3. The nature and importance of the program, activity, or service provided by the program to the LEP population.

As identified above, there is a concentration of LEP Spanish speaking individuals in the CDA’s service area and programs. All housing related programs are considered of vital importance to the participants and the public, and as such, will be given priority in providing access to LEP individuals.

Programs not-directly related to housing or to someone’s right to housing are considered non-vital. LEP assistance in accessing these programs will be on an as needed basis.

4. The resources available to the grantee/recipient and costs of providing LEP assistance.

While it is the CDA’s policy to take reasonable steps to provide meaningful access to CDA programs and activities by LEP persons, the availability of resources may limit the provision of language services in some instances. “Reasonable steps” may cease to be reasonable where the costs imposed substantially exceed the benefit. The CDA shall explore the most cost-effective means of delivering competent and accurate language services. The Section 8 Administrator is able to provide oral translation services to LEP persons requesting and/or requiring these services. The CDA shall also provide translation of vital documents to LEP persons.

Where LEP persons so desire, they can use, at their own expense, an adult interpreter of their own choosing (whether professional interpreter, family member, or friend) in place of or as a supplement to the free language services offered by the CDA. The CDA may, at its discretion, choose to provide their own interpreter in addition to the one used by the family.

The CDA shall take reasonable steps to provide written translations of vital documents that list program rules and instructions for LEP eligible languages. Whether or not a document (or information it solicits) is vital may depend upon the importance of information, encounter, or services involved, and the consequences to the LEP person if the information in question is not provided accurately or in a timely manner.

All documents that require action from an applicant or participant shall include a statement in Spanish reading “Important information about your housing! If you need assistance, please contact us immediately.” The CDA shall take reasonable steps to provide oral interpretation of other documents, if needed.

The CDA will take reasonable steps to ensure competency of translators of written documents. Where legal or other vital documents are involved, the CDA shall make
a reasonable effort, if funding allows, to use certified translators. The Patchogue-Medford Library can provide translation services of documents if needed free of charge.

Telephone calls: It has been and continues to be the practice of the CDA to have calls from applicant, participant, or resident with LEP to forward the call to the CDA staff who speaks the same language as the caller for assistance. If the CDA staff is not available at the time of the call, the caller will be requested to call back when an interpreter is available. An interpreter will be secured within a reasonable time frame.

On-site visitors: When an LEP applicant, participant or resident comes to the CDA office, CDA staff will make every effort to determine the language being spoken by the visitor by using the “I Speak” card used by the U.S. Census. Spanish is the primary language of the LEP persons who visit CDA offices. The Section 8 Administrator or other Village employee who speaks Spanish will assist with interpretation. If the CDA staff is not available at the time of the visit, the person will be requested to come back when an interpreter can be available. An interpreter will be secured within a reasonable time frame.

Written Communications: Correspondence received in Spanish will be translated by CDA staff. If correspondence is received in a language other than Spanish, the CDA will reach out to Long Island Language Access Coalition for assistance with finding low or no cost translation services. Responses will be translated into the same language as the letter that was received.

Training Staff: The CDA will ensure the staff knows the obligation to provide meaningful access to information and services to LEP persons. The CDA will train to ensure staff is competent on LEP policies and procedures; and staff having contact with the public is trained to work effectively with interpreters. Training will be included as part of orientation for new employees and for all staff when policies or procedures are updated.

Staff will be provided with listing of forms available in languages other than English.

III. PROVIDING NOTICE TO LEP PERSONS

The CDA shall provide a notice to LEP persons of the availability of free language assistance that ensures meaningful access to CDA’s programs and services. Examples of notification may include:

- Posting signs in Spanish in common areas, offices, and anywhere applications are taken.
- Translating outreach documents into Spanish.
• Working with grassroots and faith-based community organizations and other stakeholders to inform LEP persons of CDA’s language assistance services.

IV. MONITORING AND UPDATING LEP PLAN

The CDA will monitor the implementation of the LEP plan on an ongoing basis to determine whether new documents, services, or activities need to be made accessible to LEP persons. In addition, the CDA will review its LEP plan annually to evaluate the following information:

• Proportion of LEP persons in the eligible service population;
• Frequency of encounters with LEP language groups;
• Nature and importance of activities to LEP persons;
• Availability of resources;
• Whether existing language assistance meets the needs of LEP persons;
• Whether staff knows and understands LEP plan and its implementation

Adopted by Village of Patchogue Community Development Agency
On: July 2, 2020
Agenda Summary

Annual Report of Operations and Accomplishments

Background
As a Class C Public Authority the Patchogue CDA must prepare an Annual Report of Operations, Accomplishments and Internal Controls. The Board must also review its Mission Statement and Performance Measures and determine if any changes are warranted.

Additional Information

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<td>Mission Statement and Performance Measures</td>
<td>7/1/2020</td>
<td>Cover Memo</td>
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<tr>
<td>Annual Report of Operations and Accomplishments</td>
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Name of Public Authority:
Patchogue Village Community Development Agency

Public Authority’s Mission Statement:
The mission of the Village of Patchogue Community Development Agency (CDA) is to provide a suitable living environment and a viable community for all Village residents through the development of community improvement projects and to provide safe, decent and sanitary housing conditions for very low-income families.

Adopted: May 7, 2009; May 4, 2017; May 3, 2018; July 11, 2019

Performance Goals:

Support downtown revitalization and economic development in the central business district through funding of capital projects with Community Development Block Grant Funds; applying for and administering grants; participating in the Village of Patchogue planning; sharing services and resources with the Village of Patchogue and the Patchogue Business District.

Assist in recreational upgrades for the Community (Patchogue Village) as well as supplementing Public Arts and art programs as an important part of community revitalization efforts.

Adhere to the regulations and requirements of the Community Development Block Grant (CDBG) program of the United States Department of Housing and Urban Development (HUD); whose funds are distributed through the Suffolk County Development Agency.

Administer the Section 8 program in compliance with requirements and standards of the U.S. Department of Housing and Urban Development providing rental subsidies to very-low income Section 8 participants residing in the Village of Patchogue.

Operate in a fiscally conscientious, transparent and responsible manner.

Continuously assess the needs of the Village residents.

Strive to apply the Agency’s resources in such a manner as to achieve the most benefit for the community.

Collaborate with local governmental and non-governmental organizations to bring additional resources and opportunities to the residents of the Village of Patchogue.

Annually review the CDA’s Mission Statement in order to ascertain achievement goals.

Conduct an annual review of the CDA’s membership, committee structure and management effectiveness.

Operate in compliance with the Public Authorities Law and the Authorities Budget Office.

Adopted: August 4, 2011
2020 Annual Report on Operations and Accomplishments

And Assessment of Internal Controls

A) The Patchogue CDA is responsible for the administration of the Section 8 Housing Choice Voucher Program and allocations of the Community Development Block Grant funds received as a member of the Suffolk County Consortium. CDBG funding allows the Section 8 Administrator to also provide Housing Counseling to assists residents to connect with human services. This is a service to the low to moderate income members of our community.

1) Section 8 HCV Program – Is administered by one Section 8 Program Administrator who conducts annual re-certifications, ports (transfers), voucher issuance, processes new selections, and files monthly reports to HUD. The CDA Account Clerk processes housing assistance payments, manages Housing Quality Standard Inspections, and reports monthly to HUD. The Executive Director reviews all new selections and handles all violations and terminations. The Executive Director reports monthly to the CDA Board on Section 8 status.

2) CDBG – The day-to-day administration of the CDBG program is conducted by the Executive Director with the assistance of the CDA Account Clerk. The E.D. is project manager on all capital projects. The Account Clerk processes all necessary paper work for filing with Suffolk County Community Development Office as well as payments to contractors. The E.D. reports monthly to the Board on the status of all projects. The Board authorizes bidding of projects, awards of contracts, and payments on contracts.

3) Public Authority Law Compliance – The Executive Director with the assistance of the CDA Account Clerk prepares and files all reports as well as maintains the information on the website.

B) Accomplishments for 2019/2020

1) Section 8 HCV Program
   (1) Waiting List and New Participants – The 2015 Waiting List of 300 applicants is now at application 159 number. During this fiscal year 16 applicants were contacted with the following results:
   - 5 received vouchers
   - 3 did not respond or responded and failed to follow-through after repeated contact by the Section 8 Administrator.
   - 8 responded and are waiting for vouchers to become available
Of the 5 vouchers issued:
- 2 leased up in Patchogue Village
- 3 were absorbed by another housing authority.

(2) Utilization – The agency has maintained 100 percent and above utilization rate of funding. The utilization of voucher authority for the CDA fiscal year was 91 percent which is below the required utilization rate of 95 percent. The spending utilization is higher than the voucher utilization because the rents in the Village of Patchogue have risen meaning the budget authority only covers the rent for 90 percent of the vouchers. The low voucher utilization resulted in a 0 out of 20 points for utilization for the Section 8 Management Assessment Program (SEMAP)

(3) SEMAP – The agency received a standard rating score of 85%.

(4) In March of 2020 under Executive Order of NYS Governor Cuomo the CDA staff was reduced to 25 percent. The Section 8 Administrator and Account Clerk alternated days with the Executive Director working throughout. Despite the reduction, recertifications were completed. Only HQS Inspections had to be suspended.

2) Community Development Block Grant
(1) The Village of Patchogue joined the Town of Brookhaven CDBG program and was awarded $150,000 in program funds.
(2) The Housing Counselor program assisted 86 Households equaling 160 residents with housing and human service’s needs.
(3) The Rider Avenue and Baker Street Sidewalk Project was completed.

3) Public Authority Compliance
(1) Budget for 2020-2022 was adopted by the CDA Board and filed with the NYS Authority Budget Office.
(2) The Annual Report was filed with the New York State Comptroller’s Office.
(3) AVZ has provided accounting services to the CDA.

C) Active Projects

1) Section 8 –
(1) Due to Covid-19 there is a back log of HQS Inspections which must be completed by October 31, 2020. In addition, the Village has a short-fall and was not able to retain the bilingual building inspector. The CDA received additional Administrative funds from HUD for Covid-19 related costs. The funds will be used to hire the part-time bilingual housing inspector in order to clear up all inspections.
(2) The CDA is preparing a Language Access Plan as required by HUD under Fair Housing Laws.

2) CDBG –
(1) The handicapped ramp will be installed at Village Hall. Other sidewalk projects will be undertaken.

3) Public Authority Compliance
(1) The Annual Report for 2020 will be submitted to PARIS by August 31st.
(2) The Budget for 2022-2024 was adopted and filed in March of 2020.
(3) The audit for 2019 was submitted to the ABO via Paris.
(4) The CDA webpage is included in the Village’s website and there is a link on the Village’s website for CDA documents including minutes of each meeting; Mission Statement; By-laws; Procurement Policy; Audit Committee Charter; Governance Committee Charter; Code of Conduct; Code of Ethics; Defense and Indemnification Policy; Whistleblower Policy; Compensation, Reimbursement and Attendance Policy; Real Property Inventory; PHA Plan; Budget Financial Plan; and the Single Audits for 2018 and 2019.

D) Changes to Authority Operating Programs
   1) The Authority’s CDBG and Section 8 programs have not changed.
   2) The new accounting system has been successfully instituted and processes streamlined.

E) Assessment of Internal Controls

This statement certifies that management has documented and assessed the internal control structure and procedures of the Village of Patchogue Community Development Agency for the fiscal year ending May 31, 2020. This assessment has found the authority’s internal controls to be adequate, and to the extent that deficiencies were identified, the authority has developed correction action plans to reduce any corresponding risk.

Adopted: