

**Chinese Consolidated Benevolent Association of New England**  
**Board Meeting Minutes (6th Meeting in 2006)**  
紐英崙中華公所董事會議紀錄（二零零六年度第六次會議）

Date: November 28th, 2006, Tuesday, 7:00pm

日期：二零零六年十一月廿八日下午七時

Place: CCBA Conference Room

地點：中華公所會議廳

Chair: Michael Wong

主持人：黃國威主席

Recorded by: Simon Chan

紀錄者：陳國華秘書

Attendance: 33 Board Members, a valid meeting with the necessary quorum

Treasurer Gilbert Ho, Auditor: Wendy Eng

出席人數：33位董事局成員。數目符合法定人數。

（包括財政何遠光，核數劉小芸）

President Michael Wong called the meeting to order at 7:20pm.

黃國威主席七時二十分宣布會議開始。

### **I Research Survey Presentation by Professor Richard Hung of U/Mass., Boston**

麻省大學教授熊志根博士為亞裔非牟利機構領袖研究陳詞

To start the meeting, Pres/Wong allowed guest speaker, Dr. Richard Hung from College of Public and Community Service at University of Massachusetts to present to the board. Dr. Hung currently conducts a research on the Asian non-profit organization board members' and leaders' political and social participation in Massachusetts. He produced a set of survey questionnaires to the board and urged members to do the written survey. He explained that the results of the survey would be used exclusively for academic research and that individual survey participant's identity will not be disclosed nor disseminated. The board welcomed Dr Hung's presentation and gave him a round of applause.

主席首先讓麻省大學教授熊志根博士發言。熊博士現在正進行一項亞裔非牟利機構領袖及董事會成員參與政治及社區活動的研究，他交出一疊研究調查問答卷給大會要求大家填寫，並解釋調查報告只會用於學術研究方面，參與研究者的身份絕不會被公開和散發。大會歡迎熊博士陳詞並答以熱烈掌聲。

### **II Approval of Minutes of September 26th, 2006 Board Meeting**

通過九月廿六日會議記錄

On page 6, about the suggested conversion of Tai Tung Village into co-operative housing, Director Kai Lau requested the record to reflect "a co-op. housing run by a limited partnership". Director Henry Yee pointed out 2 repeated misspellings of the Chinese word of "re-instate" on Page 4. Director Betty Wing reminded us that she was also a major voice to initiate questions on the Crime Watch expenses and her name was not on record. Secretary Simon Chan agreed to make all necessary corrections and regard the above points as the legitimate versions. D/Ruth Moy then motioned and D/Li Li Mei seconded to approve the minutes. The board accepted the minutes.

第六頁有關大同村轉變為合作社住宅紀錄，劉啓祥要求紀錄要反映這是一項由合營有限公司管理的合作社住宅；余仕昂董事指出在第四頁“複掛”一詞應改為“復掛”；伍碧香董事提

出紀錄沒有記載她對有關反罪惡巡邏支出情況的發問。陳秘書接納以上意見為正式紀錄，並按要求修改，梅伍銀寬董事隨後動議通過紀錄，梅麗梨董事附議。大會接受通過。

### III President's Report

#### 主席報告

1. Pres/Wong brought up the incident that several members left the 9.26.06 board meeting abruptly due to a heated debate on technical definitions of "limited Partnership". He advised members to avoid taking such course of actions in future debates and make full attendance till the end of meetings.

黃主席提出在上次會議中因對有限合營公司的技術定義作爭論後，有幾位董事因辯論突然離場，他提醒在以後的辯論中，大家要避免採取這類行動。與會者不應早退。

2. Pres/Wong announced that due to health reason, English Secretary, Laura Chan had submitted her resignation. He accepted the resignation and wished Laura getting well by all means. He then asked for nominations of succeeding Eng. Sec. Tony Yee of Main Street was the only nomination in response. D/ Chung Chi Che suggested to leave nomination open till next meeting. D/ Kai Lau proposed to put both nomination and confirmation into the next agenda. Pres/Wong conformed to both Ds' suggestions.

黃主席宣佈英文秘書陳黃海蘭因健康理由提出辭職，他接受陳黃海蘭請辭的要求，並祝願她早日康復。並要求大會提名接任英文秘書之職。唯一被提名的是主街機構的余俊明先生，謝中之董事建議提名事押後下次大會舉行。劉董事建議將提名及通過列入下次大會議程中。黃主席接受兩位董事的建議。

3. Pres. announced the completion of repair works on the Confucius Statue and it adopted the lowest bidding cost of \$5,500.00. D/Wing kay Leung asked if there is any warranty. D/Larry Yung, who handled the repair contracting, replied that there is a customary one year warranty.

黃主席宣佈孔子像的維修工作經已完成，費用是最低投標價的\$5,500.00 梁永基董事問及維修是否附有保用期。負責處理維修合約的翁宇才董事答復，慣例上應有一年的保用期。

4. Pres/Wong informed that the Bowers Management Company's lawsuit against CCBA is nearing a favorable ending for CCBA and co-defendants. D/Roman Chan made the following summary of the case status: CCBA has won a summary judgment to knock out the breach of contract claim. The remaining issue to be argued in the court would be whether CCBA is liable to pay Bowers maximum 3 months of termination of service fee or less. The court basically threw out the contract because it was not ratified by the board and was only signed by then Executive Director, Joe Simmons. Joe Simmons's role, as intended by the AG's office, was to oversee the day to day operations of CCBA, but was not authorized to substitute the board's decision process or execute legal contracts. On the part of suing Simmons, the court ruled that he was immune from civil liability for he was a pro bono overseer appointed by the AG. D/Yung asked if there is any window of appeal against the summary judgment by Bowers and what is maximum loss needed to pay plaintiff in regard to termination fee. D/Roman replied that there is a 30 days period of appeal after the issuance of the summary judgment and the cap of termination damage is around \$36,000 which equal to 3 months Bowers management fees at the Tai Tung Village.

黃主席告知大會寶力管理公司控訴中華公所及公所職員的民事案件已接近一個對被告比較有利的結局，陳仕維董事對案件近況報告如下：中華公所贏得一個大綱判決，將違約的起訴撤銷。剩下被爭論的問題僅是應否負責賠償寶力公司三個月的終止服務費而已。事因此合約僅是由當時的行政主任周西民簽署，並未經當屆大會表決通過，故法庭將服務合約棄置。周西民先

生原是受律政司事務處委派作為監察中華公所行政之職，他並沒有被授權代大會決策和簽署公所文件的權力。在公所起訴周西民的案件部份，法庭裁定周西民有可豁免民事責任，因為他是律政司委任的義務監察員。翁董事發問寶力公司可否上訴此大綱判決及終止服務費最高可達至的款額。陳董事答復判決簽發後有三十日的上訴期，終止服務賠償最高可達三萬六千元左右，相當於寶力公司管理大同村三個月的管理費用。

## **IV Committee Reports**

### **小組報告**

1. Treasurer Gilbert Ho submitted income statements and balance sheet. He informed that new fiscal year cycle will run from October 1<sup>st</sup> to September 30th of next year. Our accountant had filed a short year return for CCBA for tax year ended on 9.30.2006. Current fiscal year began on 10.1.2006.

何遠光財政向大會呈交收支及結餘報告，他陳述以後公所的會計年度會改為每年十月一日至翌年九月三十日，公所會計已將 2006 年 9 月 30 日結束的會計年份稅項報交。現今的財政年度由 2006 年 10 月 1 日開始。

2. In regard with the SCM fund usage, D/Kai Lau asked if CCBA had received any notice of inquiry from the AG's office. He emphasized the documentation of all SCM fund usages should be observed.

有關 SCM 的用途劉董事發問公所可有收到律政司任何詢問書信，他強調所有 SCM 基金用途應清楚紀錄和存案。

3. Crime Watch still receives donations. Treasurer Ho attached copies of its financial summary to the board. In order to improve personal and public safety, Pres/Wong reminded residents to raise their level of awareness on crime.

反罪惡巡邏繼續收到捐款，何遠光將財政報告呈交大會。為保障個人及公共安全，黃主席提醒大家要對罪惡活動提高警覺。

4. Pres/Wong stated that repeated notices have been sent to several non-paying member organizations, but haven't yet received any response from them. He indicated that members who default on paying annual dues or membership fees for long periods will risk losing their CCBA membership.

黃主席會對某些不交公所會費的成員機構多次發出通告，但仍未獲任何回應，他表示長期欠交會費的成員可能會被取消會藉。

## **V · The Issue of Tai Tung Village**

### **大同村事項**

#### **(a) Asian American Commission's Involvement:**

##### **亞美事務公署的介入**

Sec. Chan read aloud three letters regarding the Tai Tung Village sale from the following 3 entities:

1. Letter from Wong's Family Benevolent Association
2. Letter from Asian American Commission
3. Response Letter to the Asian American Commission written by CCBA lawyer

After that, the board introduced two guests, Commissioners Joseph Wong and Al Wong of AAC to update their view on the TTV issue. Commissioner Al Wong informed that his commission was established by state governor's Executive Order No. 328 with the goal of caring for affairs and

interests in the Asian communities. He felt that the TTV issue fit his commission's mandate and therefore wrote to CCBA and prompted 66 questions for answers.

陳秘書將來自以下三個團體涉及大同村買賣的書信向大會朗讀：

1. 來自黃氏公所的書信。
2. 來自亞美事務公署的書信。
3. 公署律師回答亞美事務公署的覆信。

朗讀後，大會介紹亞美事務公署兩位處長黃鷹立先生及 AL 黃先生為大同村事發表陳詞。AL 黃處長介紹其公署是據州長簽署的 328 號行政命令成立的。目的是關切亞裔的利益和事務。他覺得大同村買賣事件符合其公署的法定範圍。故此向公所致函並提出 66 項問題。

Treasure Ho questioned and got confirmed by both AAC Commissioners Joe Wong and Al Wong that CCBA was in fact under their investigation. A letter from the Chairman of AAC - Ramesh Advani and Co-Chair – Donald Wong was then submitted to Sec. Chan to read into CCBA's record, it clarified that CCBA was not under any "investigation" and apologize for the choice of words Joe Wong may have used. Sec. Chan asked whether AAC had listed CCBA as a subject of investigation or just the TTV Sale as a subject matter of investigation. Pres/Wong wondered why the AAC letter was sent to Paul Chan. D/Che asserted that CCBA is under the direct oversight of the AG's office, not the AAC. D/Ed Chiang questioned the authority and format of AAC to request answers to their 66 questions and advised the board to vote no to answer any question listed in the AAC letter.

財政何遠光向兩位亞美事務公署處長質詢中華公所是否正在受公署調查，兩位處長都給予肯定的答復。隨後陳秘書朗讀一封由亞美事務公署主席 Ramesh Advani 及 Donald Wong 先生簽發的公函，內容澄清了中華公所并非在公署的調查之列。並對此不當用語表示歉意。陳秘書質詢亞美事務公署可曾有將中華公所列為調查目標，或只是將大同村售賣的事作為一個調查事件。黃主席則置疑亞美事務公署函件為何會寄付陳家驊董事收，而不直接寄給主席本人。謝董事認為中華公所是直接受律政司事務處監管，而并非受亞美事務公署監管。蔣宗壬董事質問亞美事務公署的權力根據及該公署向公所要求答復 66 項問題的合理性。他主張大會投票否決予以答復。

Commissioner Al Wong replied that the involvement of AAC was based on concerns to the interests of Asian communities and AAC have legitimate grounds to get involved as articulated in Executive Order No. 328.

黃鷹立處長解釋亞美事務公署的介入是基于關注亞裔社區的利益，並根據行政法令 328 號的內容行事的。

D/Roman Chan suggested the board to defer further response to AAC to CCBA's attorney, Albert A DeNapoli, esq. D/Yung and D/Leung thought there should be a limit in divulging TTV sale and purchase info because the matter is still under negotiation. However, they extended their invitation to AAC commissioners to all future CCBA board meetings.

陳仕維董事建議大會對亞美事務公署的任何反應都可以交付公所律師處理。翁董事和梁永基董事認為大同村售賣事件的資料的發放應有一定限度，因如今談判仍在進行中。不過兩位董事仍邀請兩位處長參加未來的公所董事局會議。

## **B. Letter Signed by Raymond Chin on behalf of local American Legion**

陳志航代表波士頓華裔退伍軍人會所簽發的公函。

Sec. Chan then read a letter addressed to CCBA from the American Legion/Boston Chinatown Post No.38 and signed by its local Commander, Raymond Chin. Pres/Wong contended that the letter was

based on inaccurate facts and was asserting distorted opinions on TTV Sale discussions. He also questioned local Legion's deliberate use of this letter to cause the publication of a newspaper article of negative impact. Ming Bao's columnist, Betty Tsui, the author of the article who was present in the meeting, spoke to defend her article and claimed that it was objective coverage with no intent of personal attack. Legion's representative to CCBA, Gock L Wong, responded that he often report truthfully to his legion on the TTV subject, but he had very limited input in formulating the content of the letter. He hoped the letter would not be perceived as a personal or institutional attack and if the letter offended anybody, he would offer his apology. D/Che saw no need to talk about Raymond Chin because he was once dismissed by CCBA. Pres/Wong replied that Raymond Chin was only suspended, not dismissed.

陳秘書朗讀一封波士頓華裔退伍軍人會致中華公所的有關大同村售賣方面的公函，這是由陳志航簽署發佈的。黃主席認為這是基于不準確資料來源而發出一篇誤導性的文字。他也質疑退伍軍人會利用媒介的報道以制造負面影響，在場明報記者徐佩蒂小姐表示此篇文字是出自她本人手筆，但她認為文章并無人身攻擊內容和純屬客觀報道。華裔退伍軍人會的代表黃國麟先生表示他一向將大同村售賣事件如實匯報軍人會，此公函內容他本人并無深刻介入，他希望這封公函不會被視作對社團或個人之間的攻擊。若此信有侵犯任何方面，他願為此表示歉意。謝董事認為無必要在此繼續談論陳志航先生，因他本人已被公所革職。黃主席隨即澄清，陳先生是曾被公所停職，並非革職。

### **C Letter from Tai Tung Village Tenants association**

#### 大同村居民聯誼會的信

Sec Chan read a letter from the Tenants Association of TTV. The letter stated multiple advantages of sale to TTV tenants for they shall own their residential property and enjoy permanent low income rental protection. D/Roman Chan re-iterated that the 7 points of local American Legion's letter that opposed the TTV sale are flawed, untrue and exhibited a high level of ignorance on the subject. During Roman's CCBA administration in 2004 and 2005, D/Henry Yee of TTV officially wrote to CCBA and opened the discussion of the TTV sale. Numerous discussions had taken place within the board and Asset Committee and we concluded that it was to the best interests of both CCBA and TTV tenants to have the sale consummated and that TTV tenants would still be guaranteed with Section 8 protection after the sale. D/Roman Chan further stated the question involved TTV issue is what are the most appropriate terms of transaction. He quoted D/Theresa Tsoi opinion that we shouldn't turn the time clock back to revisit the issue to "sell or not to sell". We should move on. As a condition unequivocally articulated in the 1995 purchase documents that CCBA would turn over the TTV ownership to tenants in 5 years, D/ Chan felt that CCBA should not break its promise to TTV tenants and the government agencies that approved CCBA's purchase of TTV in 1995.

陳秘書朗讀大同村居民聯誼會的信，該信件說明大同村賣給居民帶來的種種好處，因為他們從此可以擁有自己的物業並可以永久性地享用到低收入租金額的保障，陳仕維董事重申退伍軍人信件中反對售賣大同村的七項要點是充滿漏洞和不實，表現出他們極端的無知，在陳董事2004至2005年的公所主席任期中，余仕昂董事致函公所開展了大同村售賣的討論，隨著物業組和董事會的多番討論，我們終於認識到售賣大同村成功是公所與居民共利共贏的共識。並會令居民保證得到第八類租金補貼的保障。他表示大同村問題目前的關鍵是，什麼才是我們最適宜的成交條件，他又引述蔡倩婷董事的意見，認為我們不應“時光倒流”重溫賣與不賣的問題，我們應該“向前走”。在1995年成交文件中，有明確條文注明公所在五年內將大同村賣給居民。所以陳董事認為公所不應該違背在1995年向大同村居民和政府有關機構許下的承諾。

D/Robert Leung felt he was caught off guard on the sudden progress of TTV sale. Pres/Wong reminded him that he sat on the 9 member committee on the subject and should have been fully briefed and informed on the progress of the matter on all stages.

梁添光董事認為大同村售賣事進展太快令他覺得驚奇，黃主席提醒他曾任職“九人委員會”應在大同村事務每一階段都得到充分的訊息和匯報。

D/Bill Moy stated that he was the English Secretary of CCBA in 1994-95. The intent of CCBA to purchase TTV then was to prevent outsider landlords to convert TTV into market rate housing. It was a direct response to Henry Yee's plea to protect and preserve majority TTV tenants' low income rental status. Therefore, D/Moy concluded that selling TTV to TTVTA is consistent with the original intent and purpose of purchasing in 1994-95. If the sale goes through, CCBA will have the probable financial capacity to build 200 more low income housing units above the TTV parking lot and TTV residents will secure self determination of their residential property. To D/Moy, the completion of sale will be a Win-Win situation to both the CCBA and TTV tenants.

陳灼鑒董事陳述他曾任職 1994 至 1995 年公所英文秘書，當年購買大同村的原意是防止外來業主將大同村轉為市價租金的居屋，這是對當時余仕昂董事請求保護和保存大多數居民低收入租金額的直接反應，故此，陳董事總結現在售賣大同村與 1995 年購買大同村的原旨是一致的。售賣完成後中華公所可得到在大同村停車場再加建二百個居住單位的可能性。而居民也可以爭取到居住物業的自決權，他認為這無疑是一個真正雙贏的局面。

D/Henry Yee re-stated TTV tenants' wish to own TTV. However, if CCBA board members feel or think otherwise, he would respect their concerns and would not pressure them to make instant decision.

余仕昂董事重提大同村居民要擁有大同村的願望，但如果董事局成員有其他想法的話，他會尊重他們的意見，並不會迫大家立刻作出決定。

D/Wing Kay Leung urged members to think more about the mission and goal of CCBA, the cash gain out of the sale and the retention of parking lot development right.

梁永基董事呼籲大家深思中華公所的目標和使命：售賣後的現金收入及停車場發展權的保留。

Having heard enough from all sides, Pres/Wong adjourned the TTV discussion to future meetings.

在充分聽取各方面的意見之後，黃主席決定將大同村售賣事宜延後再交大會繼續討論。

At about 10:00pm, D/Wing Kay Leung motioned and Gilbert Ho seconded to close the meeting.

十時左右梁永基董事建議散會，財政何遠光附和，本次大會結束。

## Minutes of Special CCBA Board Meeting

### 中華公所特別大會紀錄

Date: December 19<sup>th</sup> 2006

日期: 2006年12月19日

Place: CCBA Conference Room

地點: 中華公所會議廳

Chair: President Michael Wong

主持: 黃國威主席

Minutes: Secretary Simon Chan

紀錄: 陳國華秘書

Attendance: 30 Board Members (Including treasurer Gilbert Ho & Auditor Wendy Eng)

出席人數: 30位董事 (包括財政何遠光; 核數劉小芸)

President Wong called the meeting at 7:25pm

黃主席七時廿五分召開大會

### Discussion Topics:

#### 討論項目

#### 1. Selection of Management Company for Waterford Apartments

##### 選擇華福樓的物業管理公司

Director Ed Chiang presented to the board on the need to issue new management contract for the Waterford Place. CCBA received management contract bids from Winn Management CO, Maloney Property Management and L E Smith Management CO. After careful review and consideration by the Asset Committee, D/Chiang reported that the committee recommended Winn Management CO as the most suitable candidate to take over the management of the Waterford Place. He motioned to select Winn Management CO's bid. D/Reggie Wong seconded. The board approved the selection.

蔣宗壬董事向大會陳述要為華福樓簽發新的管理合約。公所已從榮氏公司、馬隆尼管理公司及史密夫公司收到物業管理的投標。經過物業小組謹慎考慮之後，蔣宗壬董事報告大會物業小組推薦榮氏公司為最佳管理華福樓的機構，隨後他動議採用榮氏公司，黃述沾董事附議。大會通過。

#### 2. Renewal of Realty Consultant, Sharon Loewenthal's Service Contract

##### 續約僱用地產顧問沙倫路雲寶

Treasurer Gilbert Ho stated the need to extend realty consultant, Sharon Loewenthal's contract on Consulting the critical financial and regulatory issues that Waterford Place is still facing. The Asset Committee recommends Loewenthal's extension due to her experience, good performance and reasonably low service fee. Treasurer motioned to extend her service contract. Sec. Chan seconded the motion. The board approved the extension.

何遠光財政表示有必要延長地產顧問沙倫路雲寶的服務合約，因為華福樓仍要面對很多財務上及房屋條例方面的問題。物業小組根據路雲寶的經驗，表現及低廉服務費用推薦延長他的服務合約。財政動議續約，陳秘書附議，大會通過。

Pres/Wong motioned and D/Wing Kay Leung seconded to close the meeting at 7:50pm.

七時五十分黃主席動議散會，梁永基董事附議大會結束。