

**TOWN OF FRANKLIN
MUNICIPAL AFFORDABLE HOUSING TRUST**

**February 14, 2023
10:00 AM
Meeting Held via ZOOM**

Meeting Notes

Members Present: Chris Vericker, Maxine Kinhart, Susan Younis, Judith Pfeffer, Chris Feeley
Members Not in Attendance: Jamie Hellen, MaryAnn Bertone

As stated on the agenda, due to the ongoing concerns regarding the COVID-19 virus, the Municipal Affordable Housing Trust will conduct a Remote/Virtual Meeting. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link also provided on the agenda.

1. Approval of Minutes – January 10, 2023 – Motion by Feeley. to **Approve** minutes, **Second** by Younis. **Roll Call Vote:** Maxine: Yes, Susan: Yes, Judith: Yes, Chris F.: Yes, Chris V.: Yes **Vote:** 5-0-0

2. Discussion on Housing Trust – Attorney Mark Cerel

Chair Vericker stated that members of the Trust are trying to figure out what can and can't be done, as a committee, as individuals, financially to support transitional housing. We would like to host a meeting and invite certain groups in town such as St. Vincent DePaul, the Inter-faith Council, some of the risk management group, Cathleen Liberty, Board of Health to discuss the issue. Would like to know what role the Trust might play in supporting transitional housing. Chair Vericker stated that he had received an email from Executive Director of the Food Pantry, Tina Powderly, who has been trying to put together different social organizations in town to try and meet some of these needs.

Attorney Cerel stated that the Trust can do anything related to Affordable Housing. The Trust has pretty broad authority in terms of initiatives, whether or not they cost money. Basically, some of your authority which was state enacted in 2004, 2005. An amendment to the general laws, previous to that, you had various towns or municipalities getting special home rule or legislation to allow them to set up their own entities. Enough of that was happening that the State passed a statute of general impact which is General Laws Chapter 44 §55C which was a local acceptance statute. In 2005 Franklin did adopt that and that legislation had a whole laundry list of authorities in it. The only powers that are enumerated in the statute that you were not given was the ability to borrow and mortgage in which case you need the prior approval of the Town Council. Then we passed Chapter 7 of the Town Code which embodied a lot of that as well in a local regulation. So that lays out your powers and duties in § 7-8 which again tracks that statute with the exception noted. You also had monies coming in which are by reason of exactions which is when a developer proposes a project which will have an impact on the community – a negotiated sum of money to mitigate the impact or allow for affordable housing is given. In this case, there were some monies that came from that. In addition, the town more recently adopted the Community Preservation Act and what is called, community housing which is in fact affordable housing is one of the specific purposes covered by that statute. A minimum of 10% of revenue received each year are set aside in an account to further community housing. That money is available administratively and to go forward with projects or programs that you might envision that falls within the statutory definition of Community Housing.

Chair Vericker wants to know if the money can be used to assist people that have gone from emergency housing to a longer term affordable type housing including Section 8 type of rentals that could take several months to a year. Can the trust in its capacity, use some of its money to supplement rental payments. Can the Trust do something like that?

Cerel stated that the payment of money to individuals is probably the most questionable. Typically, the payments are in conjunction with something like the purchase of a house or rental where there is an affordable restriction put in place in conjunction with that injection of funds. His sense is that that is at least questionable whether the monies can simply be given to somebody to subsidize their other expenses.

Younis asked if there is a possibility of developing a program that the Town, in conjunction with maybe other boards or the Town Council even, to meet what Chris is talking about.

Cerel responded that if what you are talking about is a program to create housing or improve housing, then yes. If what you are talking about is just providing money to individuals, even though they may fall into the income eligibility, the answer is probably no.

Pfeffer stated that she understands that we want to help people who may lose their apartment or home. However, who is going to make these decisions of who is going to get these monies and more difficult, who is not going to get these monies. There are organizations in Franklin that help people pay rent if they are being forced out or evicted. Maybe our goal should be to work with those organizations and give them money and have those organizations provide the assistance.

Cerel stated that unfortunately, you also alluded to another obstacle is that is called the Anti-Aid amendment. You cannot give funds to some private group, whether religious or otherwise in a lump sum under the Anti-Aid amendment.

Vericker stated that we are just trying to learn what we can or can't do and to also learn what the need is. So part of that getting people together is a meeting so we can learn what the need is. He does not object to helping one and not the other, as opposed to helping no one. We have a lot to learn. We will be getting a minimum of 10% annually and we have to learn to use it wisely to house the most people we can. I think it is worth exploring this further.

Cerel stated that a valuable resource is the Community Preservation Coalition of which we are members. They are an advocacy group that in conjunction with the CPA. They have tremendous resources on their website including breaking down specific purposes and the programs and what other communities have done as well as what you can and can't do.

Kinhart agreed with Cerel and stated that she had previously sent their link to the members.

Vericker asked when funds become available?

Cerel stated that residents are already being billed and the state match is in November.

Feeley, who is on the CPC, stated that Franklin has spent their money this year. A new budget year will begin in July. There are other entities trying to get that money.

Vericker stated that the trust would need to be prepared in order to get those funds.

Cerel stated that the CPC recommends and the Town Council appropriates.

Kinhart asked Feeley what was the total funds spent.

Feeley stated that he thought it was around \$200,000 and that it was awarded to the Franklin Ridge project.

Discussion ensued about the members not being aware that Franklin Ridge had received any of those funds and that the Trust still owed the project \$500,000 and does the trust now owe only \$300,000?

Vericker asked Cerel if he thought that the Trust could host a meeting and Cerel answered that as long as a component was affordable housing. He also added that the Trust can only act as a body with a quorum and individuals have no authority outside of that.

Pfeffer stated that Dell has laid off 66,000 people worldwide. They have an empty building near their corporate headquarters on Constitution Boulevard in Franklin. The building is 4 stories, has an elevator, and a kitchen. She thinks this building would be perfect for housing. Trust should approach the person in charge to see if they would be interested in donating the building to the Trust for housing. She will get info on who is in charge.

Cerel stated that the municipality attempting to initiate a building acquisition or conversion is a very difficult road, even if you have the funds. Even to procure properties you generally have to put out an RFP and allow anybody else to respond to it and then there's the whole conversion process and, unfortunately, the State doesn't make it easy. In fact, it discourages the ability of municipalities to actually develop this stuff on their own. Everything is weighted towards it being done by the private sector, which is not to say that some kinds of partnership such as the one we have with John Juhl and the one we had with The Community Builders. There are non-profits out there that do this type of thing. The problem with non-profits are they are usually looking for funding from one or more government programs which holds things up which is where Jon Juhl is right now. Then there are other private developers out there and that is where you have to put out an RFP and let them come in and bid on it. You make the award and then project goes on from there, unfortunately, its nothing that would happen quickly.

Kinhart asked if that is the process the town followed with the old church and Habitat for Humanity. Cerel stated it is the same thing on a much larger scale. With Dell, you have to acquire the building; the town already owned the church. There is no harm in reaching out and finding out if they're interested in disposing of the property.

Vericker asked if we should talk about logistics of trying to set up a meeting or should we look at next time?

Potential list of attendees:

- Senior Center
- Fire Dept.
- Cathleen Liberty (Board of Health)
- Federated Church
- St. John's Episcopal
- St Vincent De Paul
- All churches
- Police Dept.
- CPC Committee
- Franklin Housing Authority

Food Pantry

Feeley wanted to discuss a house that they just acquired from Metacomet Land Trust at 813 Summer Street. The Bank of America foreclosed on the house. The house has been empty for nearly 10 years. The Franklin Housing Authority now owns the house and land. BOA sold the house to them for \$100 and the Land Trust transferred the land to them for \$1. They are looking for \$50,000 to help with renovations. They believe the cost will be in the range of \$175,000 and \$200,000. They feel they can obtain a mortgage of \$125,000 to \$150,000 so they would need \$50,000 to bridge that gap. Kinhart asked if they were going to the CPC for any of the funds? Feeley stated that they are going to the CPC for funds for a state program called the High Lap program which is the same program that they did prior when they asked the Trust for \$150,000. The Trust gave them \$150,000 and they got 3.5 times that amount from the state. Funds went to update boilers and windows in some of their units. They want to do the same program and are going to the CPC for those funds which is why they need \$50,000 from the Trust for 813 Summer Street.

Vericker asked if there was a motion.

Younis stated that we need to try and cohost/facilitate some type of meeting with certain centers of influence to talk about what is available currently today and where the gaps fall, and is there a possibility to expand that with regard to emergency traditional housing. Also, wants info on the \$200,000 on CPC funds that went to Jon Juhl.

Vericker asked if we should go to in person meetings? We can, but we still have to offer a Zoom option. We could do in March or April.

MOTION by Kinhart to Adjourn, **SECOND** by Feeley.

Roll Call Vote: Kinhart: Yes, Younis: Yes, Pfeffer: Yes, Feeley: Yes, Vericker: Yes. **Vote:** 5-0-0.

Meeting Adjourned at 10:54 AM.

Minutes prepared by: Maxine Kinhart