

**Municipal Affordable Housing Trust Fund (MAHTF)
Meeting Minutes – November 1, 2017**

Attendance: Mary Antes; Bob Duffy; Stephen Greenbaum; Mike Staiti (arrived at 8:15 PM); and Brian O’Herlihy.

Absent: Susan Weinstein

Others in attendance: Zoe Pierce, Treasurer - Town of Wayland.

Open Meeting: M. Antes called the meeting to order at 7:32 PM at the Wayland Town Building. B. O’Herlihy agreed to keep the minutes.

Public Comment: None.

Previous Minutes: July 18, 2017 (Executive Session).

Materials Discussed/Distributed: MAHTF financial statements (unaudited) as of October 31, 2017; background material on various tax title properties; and marketing presentation prepared by Regional Housing Services Office.

Notes:

- 1) No public comment.
- 2) The Trustees met with Z. Pierce to discuss tax title properties, foreclosure process and potential acquisition opportunities for the MAHTF. Z. Pierce provided an overview of the collection process once a homeowner fails to timely pay their real estate taxes. She noted that there were a number of properties that had tax liens filed by the Town and also noted that the Town had begun foreclosure proceedings on a number of these properties. She noted that the foreclosure process takes some time and further noted that at any time during the process the homeowner can pay off the outstanding tax balance, together with accrued interest. Upon foreclosure, the Town has the option of keeping the property or selling it, including through an auction process. The homeowner has certain redemption rights in the case of an auction sale. She provided the Trustees with some background material on various tax title properties and asked the Trustees to let her know if any of the properties might be of interest for potential acquisition. There was a detailed discussion of four specific properties, two of which were included in the Town’s affordable housing count. The two affordable homeowners appeared to be taking advantage of the somewhat cumbersome and time consuming collection process as both appear to have the financial capacity to pay their taxes.
- 3) B. O’Herlihy provided report of Treasurer which included a review of the MAHTF financial statements (unaudited) as of October 31, 2017. B. O’Herlihy also noted that he would be meeting with the Town of Wayland Finance Director on Friday, November 3, 2017 to discuss a number of accounting related matters, including the need for the MAHTF to prepare and issue annual audited financial statements given the inclusion of the MAHTF’s financial information in the Town of Wayland’s annual comprehensive financial report. He recommended deferring the Trustees’ discussion of the form of financial report and audit until a future meeting.

- 4) M. Antes noted that the open meeting and executive session minutes that were to be reviewed and approved at the meeting were not available as S. Weinstein was unable to attend the meeting. B. O’Herlihy noted that a number of previously approved minutes, i.e., April 6, 2017, May 4, 2017 (including executive session) and June 7, 2017 (including executive session), have not yet been posted on the Town’s website. He offered to assist S. Weinstein in completing the preparation of the minutes for open meetings and executive sessions for July 5, 2017, August 31, 2017, September 6, 2017, and October 4, 2017 if it would permit such minutes to be reviewed and approved at the next meeting.

B. O’Herlihy noted that the executive session minutes for August 16, 2017 were approved for release at the October 4, 2017 meeting and are posted on the Town’s website.

B. O’Herlihy noted that the executive session minutes for the meeting held on July 18, 2017 were previously approved in the executive session held on August 16, 2017 and were being held pending a vote of the Trustees to release them. It was agreed that such vote could take place in open meeting as the subject matter of the executive session was now public information. S. Greenbaum moved approval of the release of the executive session minutes for the meeting held on July 18, 2017. M. Staiti seconded. Motion approved 5-0.

- 5) M. Staiti and B. O’Herlihy provided the Trustees with the following update of activities related to the MAHTF’s recent acquisition of the house at 11 Hammond Road:
- a) The installation of the septic system has been delayed due to a MGL requirement to advertise and solicit bids (for projects estimated to cost at least \$10,000 and no more than \$50,000) from qualified contractors. The bids are due by November 9, 2017. It’s unclear what happens if sufficient bids are not received. Prior to determining that the project had to be advertised, M. Staiti had received bids from two qualified contractors with a low bid of approximately \$15,000.
 - b) The removal of limited amounts of lead paint noted during due diligence has been delayed until a carpenter can be engaged to replace the existing front door. The lead paint contractor told M. Staiti that he could complete the work as a sole proprietor. B. O’Herlihy noted that it is his understanding that sole proprietors who do the work themselves are not be subject to the prevailing wage law as long as they don’t use employees, subcontractors or independent contractors to assist them with the project.
 - c) M. Staiti is reaching out to a number of carpenters that operate as sole proprietors to deal with the replacement of the front door.
 - d) M. Staiti noted that various volunteers from the Wayland HS basketball team helped demolish the shed and front stoop, did yard work and various other odd jobs and that an article had appeared in the Town Crier noting both the volunteer effort and the MAHTF’s acquisition of the property.
 - e) B. O’Herlihy noted that he and Brian Boggia, Executive Director of the Wayland Housing Authority (WHA), have communicated regarding a potential long-term lease of the house by the MAHTF to the WHA. B. O’Herlihy proposed an approach to determining the annual lease payments that is tied to actual rental collections by the WHA from the ultimate tenants. Other issues that need to be negotiated include the MAHTF’s commitment to provide financing for unexpected capital requirements that cannot be funded from the capital reserve to be established from sublease payments.

M. Antes noted that the potential long-term lease was discussed at a recent meeting of the WHA board and that there seems to be continued interest, subject to the terms of the lease. An attorney associated with Southborough's affordable housing trust also attended the WHA meeting and provided input to its board members with regard to the long-term lease proposal.

- f) B. O'Herlihy noted that the oil burner had been serviced and the oil tank filled. He also noted the chimney flue to the oil burner had been swept and may need a new liner due to damage to the flue noted during the cleaning. Given age of existing oil burner and oil tank and potential cost associated with a new flue liner, M. Staiti and B. O'Herlihy recommended gathering information on the costs to convert to gas, e.g., a new gas-fired burner vented through basement wall and installation of gas line from the Hammond Road right of way to house. They will report back to Trustees at next meeting.
 - 6) M. Staiti suggested the Trustees authorize the expenditure of up to \$5,000 to be spent on analyzing the feasibility of constructing one or two additional two-bedroom units on the 11 Hammond Road parcel. Any such development would be done pursuant to a 40B comprehensive permit that would be sought from the Zoning Board of Appeals. He noted that the leaching field for the new septic system had been designed to handle this potential future development. Prior to proceeding with a 40B application, the Trustees may need approval of Board of Selectmen and Planning Board pursuant to Section 5.2.3 of the Declaration of Trust dated October 8, 2014. In addition, a number of the Trustees recommended holding discussions with abutters once the feasibility plan(s) have been completed. S. Greenbaum moved that M. Staiti and B. O'Herlihy be authorized to expend up to \$5,000 of the MAHTF's funds to complete feasibility plan(s) for the development of one or two new two-bedroom units on the 11 Hammond Road parcel. B. Duffy seconded. Motion approved 5-0.
 - 7) M. Antes noted that Nan Balmer, Town Administrator, Lea Anderson, Chair of the Board of Selectmen, and B. Boggia met with Elizabeth Rust, the head of the Regional Housing Services Office (RHSO) which provides support to Acton, Bedford, Burlington, Concord, Lexington, Sudbury and Weston in connection with affordable housing activities in those communities, to discuss the possibility of Wayland joining the RHSO. The discussion included an allocation of the \$20,000 CPA funding, approved at the 2017 ATM for an affordable housing consultant, between affordable housing monitoring, which would be handled by the WHA staff, and various other affordable housing services, which would be provided by the RHSO. M. Antes provide the Trustees with copies of the marketing presentation prepared by the RHSO.
- M. Antes proposed that Liz Valenta, a RHSO employee that provides services to Weston and who also works with the WestMetro HOME consortium, be invited to meet with the Trustees at their next meeting. She also noted that L. Valenta would reach out to Sarah Like Rahtigan, Chair of Weston's affordable housing trust, to see if she would be willing to meet with the Trustees to discuss Weston's experience in developing affordable housing.
- 8) M. Antes noted that the annual election of officers for the MAHTF will be held at the next meeting. She agreed to be the Clerk if someone else wanted to take over as Chair.

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B. O’Herlihy asked S. Greenbaum, who has served as Vice Chair since 2014, to consider serving as Chair.

- 9) The Trustees set the next meeting for Wednesday, December 6, 2017 at 7:30 P.M. at the Wayland Town Building.

Adjourn: S. Greenbaum moved to adjourn the meeting at 9:36 P.M. M. Staiti seconded. Motion approved 5-0.

Respectfully submitted,

Brian T. O’Herlihy