

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

TUESDAY, June 25th, 2024.

Remote Meeting via Zoom– 12:30PM

Trust Members: Brian Sullivan (Chair), Reema Sherry (Vice-Chair), Meg Browers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

ATTENDING MEMBERS: Brian Sullivan, Reema Sherry, Meg Browers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

STAFF IN ATTENDANCE: Kristie Ferrantella (Housing Director), Ellis Ramos (Housing & Real Estate Office Manager), Lee Smith (Town Counsel), Janelle Austin (Town Counsel)

SPEAKER IN ATTENDANCE: Colin Frolich (Placemate)

I. Call to Order

Reema Sherry called the meeting to order at 12:36pm.

II. Approval of Agenda

Kristie Ferrantella suggested that they move the approval of the minutes (item III) to a future meeting because they are not complete.

Penny Dey made a MOTION to approve the agenda as amended. Dave Iverson seconded this motion.

ROLL CALL of those participating:

1. Meg Browers Aye
2. Dave Iverson Aye
3. Tom Dixon Aye
4. Penny Dey Aye
5. Shantaw Bloise-Murphy Aye
6. Reema Sherry Aye

III. Public Comments

Mary Mack said her comment is about the Lease to Locals' program. She said that they should be looking at this same way as medical professionals make medical decisions that are based on the risks

AFTH Meeting on June 25th ,2024 at 12:30pm

versus benefits rationale.

Mary Mack also said that the benefits of funding this program is that people can be housed right now which outweighs the risk of this being a temporary program.

Kristie Ferrantella said in case anybody missed it , the Affordable Homes Act is moving through the legislation process, and it just made its way to the Senate. They did release a bill that does not include the Transfer Fee but does still include the Seasonal Community Designation. She said that the Town has sent a lot of emails out to constituents , there are posts on our social media and website with a template for the testimony. They are encouraging people to write to the Senate President and to Senator Julian Cyr to encourage them to either add an amendment to include the transfer fee or to continue to support the Seasonal Communities designation.

IV. Approval of Minutes

- **June 11, 2024 – *Held to a future meeting.***

Note: all Trust open meetings are recorded and available on the Town's YouTube channel

V. Announcements:

- **Habitat for Humanity Lottery is Open until July 15th for Four Affordable Homes for Homeownership at Waitt Drive**
- **Housing Nantucket Lottery is Open until July 2nd for 6 Affordable Rentals and 16 Workforce Rentals at Wiggles Way.**

Kristie Ferrantella said that there are currently two open lottery opportunities.

The first one is for Habitat for Humanity, and there are four homes for home ownership that are being built on Waitt Drive and the applications are open until July 15th of 2024, people can reach out to Gennifer Costanzo at Habitat for Humanity Nantucket with any questions about the application. She said that these will serve families making 80% AMI or below and will count towards the SHI list.

AFTH Meeting on June 25th ,2024 at 12:30pm

The next opportunity is with the Housing Nantucket development at 31 Fairgrounds Road , known as Wiggles Way, and this is a rental property lottery and there are going to be six units of affordable rentals and 16 units of workforce housing restricted at 150% AMI. This lottery is open until July 2nd of 2024.

VII. Review and discussion of Open Meeting Law complaint determination from Division of Open Government, dated April 25, 2024, complaint of Meghan Glowacki

Kristie Ferrantella welcomed Janelle Austin from KPLaw who represents the Trust on this. She has reviewed the determination and any outcome with the Trust.

Janelle Austin said that Kristie Ferrantella had asked her to provide all the members of the Trust with an update. She said as many of them would recall, last summer an Open Meeting Law complaint was filed, by Megan Perry Glowacki and essentially there was an allegation that the Trust violated the Open Meeting Law with respect to an Executive Session that was held on April 7th , 2023. In addition, there was an allegation that the open session minutes were not approved timely. The Trust met to review the allegations of the complaint and issue a response. That response was than provided to the complainant as well as to the Attorney General's Division of Open Government. Following that response the complainant asked the Attorney General to further review the complaint itself and the Attorney General after several months, reviewed everything and issued a determination on April 25th, 2024, and the Trust has been provided with a copy of the determination. There is no further remedial action required at this juncture based on the Attorney General's decisions. She said as the Trust Members might know the meeting minutes from the April 7th, 2023, Executive session was previously released to members of the public with very minimal redactions subjected to privilege under the public records Law . The Attorney General often also had found that the open meeting that the open meeting law do not require the public bodies post their minutes to the website or be they rather that they be submitted , but that they be made available within 10 days while there was a determination that there

AFTH Meeting on June 25th ,2024 at 12:30pm

was an improper discussion under purpose 6. The meeting minutes for April 7th, 2023, have now been released and there is no further remedial action required as determined by the Attorney General's office therefore this matter is now resolved.

Megan Perry Glowacki said that she wanted to point out that the Attorney General did find that the Trust violated the Open Meeting Law. She said as everybody is well aware of the meeting that the Trust held and voted to advise the Select Board to drop the appeal of Surfside Crossing. She mentioned that two non-profit organizations continued on and have won the appeal not once but twice in Superior Court. She said that her hope is that the Affordable Housing Trust will not continue to violate the law and will not interject themselves in matters that they are not party to in the future.

Some discussion followed.

VIII. 31 Fairgrounds "Wiggled Way" Status Update

Penny Dey said that the construction committee has been meeting every Wednesday for a very long time. The flooring is finished in all of the units, there is some minor electrical and carpentry work is happening over the next week or so, all the granite curbing is installed, the sidewalks and all the bases are done , they are going to be pouring a finish test pad soon and concrete next week. All six patios and finished and sidewalk coats will be done in the next few weeks followed by finishing landscaping for the entire rear area behind units 2 through 7. All the trees have been planted ; the HVAC contractor is done with the mechanical work but still has some insulation of duct work outstanding . The installation of the solar panels is going slower than anticipated and the last thing that needs to happen is the final paving. The appliances will be ordered next week, the electric and plumbing are finished.

Kristie Ferrantella said that she just wanted to mention that the construction committee is planning to do a ribbon cutting ceremony when the project is completed, and they have been in communications with the Executive Office of Housing and Livable Communities, and they are hoping that the Secretary of Housing will join. She said as soon as she gets the dates, they will be

AFTH Meeting on June 25th ,2024 at 12:30pm

blasting that information everywhere and they will make sure that all Trust members former and existing are invited.

IX. Request for Funding for Lease to Locals Program – DISCUSSION / ACTION

Kristie Ferrantella said just a reminder to everybody , Colin Frolich from Placemate and Julia Lindner from ACKNow Community initiatives has been in front of the board a couple of times to discuss their Lease to Locals Pilots program. They have reviewed how the program worked , how they envision the future of it working and being transferred over to Housing Nantucket and they have come to the Trust with a request of \$550,000 to support a second year of incentives for existing homeowners and to attract new homeowners to convert to year-round use. Since that last meeting, ACK Now has received a \$100,000 grant from ReMain Nantucket to support the Lease to Locals' program, which will reduce the ask to the Affordable Housing Trust to \$450,000. ReMain's grant is intended to help address the urgent need for year-round housing on the island and to support the program's mission of converting the use of dwellings on the island into year-round use. The goal of this donation is to encourage new door donors to join in, in supporting this program.

Colin Frolich said that they are here to address the June 11th Affordable Housing Trust meeting questions and feedback and then review the ask. The program policies included in the packet were redlined based on some of the feedback from the June 11th meeting , so there are details in there that they can also review if needed.

The following questions were reviewed:

- **Question:** Penny Dey had asked if AHT funding can be used for projects that are not locked into affordability in perpetuity?
 - **Answer:** Lee Smith from KPLaw said that they have reviewed this question in house and the funds can be used for projects such as this, even though they are not restricted in perpetuity. There is some precedent for this specific specially in Nantucket for workforce

housing.

Som discussion followed.

● **Question:** Penny Dey also had asked why can they not use bonded funds?

- **Answer:** Kristie Ferrantella said that bonded funds are for capital and cash is used for operations, and this would be considered ongoing operational expense.

● **Question:** Brian Sullivan had asked if they think this program could be successful if program went from 240% AMI to 175% for qualified tenants?

- **Answer:** Colin Frolich said yes, but income restrictions always run the risk of excluding some participants.

● **Question:** Brian Sullivan asked how they are ensuring that properties are actually not already being rented long-term prior to entering the program?

- **Answer:** Colin Frolich said that they get verbal confirmation on the property owner onboarding call, there is an affidavit from Property Owner on the application attesting it has not been rented year-round in past 12 months. Also, with tenant application they can see paystubs and an ID which both show addresses, so they can cross check this against L2L property address. Also, Nantucket is a small community.

● **Question:** Brian Sullivan asked if they are allowing property owners who have multiple units to participate in the program and receive multiple grants?

- **Answer:** Colin Frolich said yes, in current program guidelines, the idea is to try to keep this program open to see what the pilot could garner, but they could add a new restriction.

● **Question:** Brian Sullivan said he heard things on Facebook of property owners who do and don't qualify for the program?

- **Answer:** Colin Frolich said that in the current program policies a qualified tenant cannot be of blood relation or be employed by the Property Owner.

AFTH Meeting on June 25th ,2024 at 12:30pm

● **Question:** Brian Sullivan asked if there is a mechanism to allow people who want to donate their properties (as a tax write off) but don't need the incentive?

- **Answer:** Colin Frolich said that they can definitely explore this with Housing Nantucket. Owners who want to post their properties on Placemate.com without the L2L incentive who do that already at no cost (and no additional admin cost from Placemate)

● **Question:** Can businesses whose employees are capturing leases able to participate in the subsidy between 50% & 33%?

- **Answer:** Colin Frolich said they can definitely explore this with Housing Nantucket. This could be a good fundraising opportunity for employers that wanted to contribute.

● **Question:** Is there a way to have the employers or another NGO participate financially and for the Trust to not be the sole funder of the program?

- **Answer:** Colin Frolich said that they are exploring additional private fundraising opportunities.

● **Question:** What happens when the program “ends”? What has happened in other communities?

- **Answer:** Colin Frolich said that they are in the process of winding down one program (Summit County) and this is done with a lot of communication. This particular program was a temporary COVID relief program (for 1 year) but extended for 2 years and over \$2M in incentives were distributed.

Colin Frolich said this is where they shift into a board discussion and deliberation and bring it to a vote. He reiterated that this at the beginning the ask is to fund a relaunch of this program and this ask will actually be brought down to \$450,000 after finding out about the ReMain Nantucket grant, to fund a year one new properties and renewals of existing properties in the pilot program.

Reema Sherry said they still have more questions for Lee Smith to look over for the Trust. She asked if the Trust members were ready to vote or if they needed more time.

AFTH Meeting on June 25th ,2024 at 12:30pm

Penny Dey said that she would like to defer the vote to the next meeting because she is not prepared to vote today on this.

Meg Browsers said that she would be happy to vote today, but if Penny Dey wants to wait until they get back the information that they requested about Fair Housing she is okay with it. She just wanted to be clear about what outstanding questions they may have so that they can give them exactly what information they need to provide, and with that being said she said that she is in full support of this program and is so excited for this collaboration.

Brian Sullivan said he would like to wait until they hear back from Lee Smith, but for moving forward with the conversation, he would like to see any funds provided by the Affordable Housing Trust go to 175%AMI or below and no more than two units per owner.

Kristie Ferrantella said that Provincetown has adopted the Lease to Locals program and this question on Fair Housing Act came up several times with their Town Manager, so that might be a quick spot to find a quick answer as how KPLaw resolved the questions when it came to their Select Board.

Penny Dey said that she would prefer to call this a pilot program phase two and it would be extremely helpful if Colin Frolich and Julia Linder could get the Trust some information on the level of commitment of the existing people.

Dave Iverson said he agrees with Brian Sullivan in support of the 175%AMI or below and how many subsidies each homeowner can get. It would also be helpful to see how Provincetown navigated the Fair Housing Act in making a decision.

Tom Dixon said he agrees with Dave Iverson and Brian Sullivan that think 175% make more sense and he would want to make sure that Kriste Ferrantella has spoken to Brian Turbit at length about this, but just that any future motion would be contingent on finance department being comfortable with the finances on this. Tom Dixon also asked that Kristie Ferrantella run this by the Town Chef Technology Officer to make sure how Placemate privacy policy is compliant with the Technology

Department's standards.

Mary Mack said that they should be looking at this in a matter of community safety, she said that she thinks that the island would be much safer because this program is housing hospital staff, firefighter etc. that are living of island and wouldn't be able to deal with and emergency if there was one.

X. Other Business

Next Meeting:

- July 9, 2024, at 12:30pm
- July 16, 2024, at 12:30pm

XI. Board Comments

Penny Dey said she just wanted to thank Reema Sherry for all the work that she has done for the Affordable Housing Trust and for the community, and she will be missed.

The Trust members thanked Reema Sherry for her many years of serving on the Trust.

THANK YOU REEMA SHERRY.

XII. Executive Session, Pursuant to MGL C. 30A § 21(A)

Purpose 6: To consider the purchase, exchange, lease, or value of real property where an open meeting may have a detrimental effect on the negotiating position of the public body.

- i. 8C Thirty Acres**
- ii. 13-15 Nancy Ann Lane**
- iii. 44 Miacomet Road**
- iv. 17, 19 and 21 Boynton Lane**

Meg Browsers made a MOTION to adjourn open session, to go to executive session, not to return to open session to consider the purchase, exchange, lease, or value of real property where an open meeting may have a detrimental effect on the negotiating position of the public body. Brian Sullivan

AFTH Meeting on June 25th ,2024 at 12:30pm

seconded this motion.

ROLL CALL of those participating:

1. Dave Iverson Aye
2. Penny Dey Aye
3. Tom Dixon Aye
4. Brian Sullivan Aye
5. Meg Browsers Aye
6. Shantaw Bloise-Murphy Aye
7. Reema Sherry Aye

This meeting was adjourned at 2:04pm.