



## Town of Medway

### Affordable Housing Trust Fund

Thursday, July 29, 2021 at 7:15 p.m.

#### Zoom Meeting Participation

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's Orders imposing strict limitations on the number of people that may gather in one place, no in-person attendance of members of the public was permitted at this meeting. Information for participating via Zoom was posted at the end of the ZBA Agenda on the town website. All persons participated remotely in the meeting via Zoom.

|                              | Present | Absent |                | Present | Absent |
|------------------------------|---------|--------|----------------|---------|--------|
| <b><u>Trust Members:</u></b> |         |        |                |         |        |
| Ann Sherry, Chair            | X       |        |                |         |        |
| Judi LaPan                   | X       |        | Glenn Trindade | X       |        |
| Jack Wolfe                   | X       |        | John Parlee    | X       |        |

#### **Also Present:**

Douglas Havens, Community Housing Coordinator

Amy Sutherland, Recording Clerk

Barbara Saint Andre, Director of Planning and Economic Development

Lee Smith, KP Law, P.C., Town Counsel

The Chairperson called the Affordable Housing Trust meeting to order at 7:15 p.m.

On a motion made by Glenn Trindade, seconded by Judi LaPan, the Trust voted by roll call to enter into Executive Session in order to consider the purchase, exchange, lease or value of real property (6 Cutler Street), if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, G.L.c.30A Section 21 (a)(6). The chair so declared.

#### **Roll Call Vote:**

Ann Sherry      aye  
Jack Wolfe      aye  
John Parlee      aye  
Glenn Trindade   aye  
Judi LaPan      aye

## EXECUTIVE SESSION

### Town of Medway

## **Affordable Housing Trust Fund**

Thursday, July 29, 2021 at 7:15 p.m.

All members declared that there was no one on their room for the executive session.

The Town Attorney Lee Smith was present. He provided an update on the discussions regarding 6 Cutler Street. Buyers counsel believes there is an issue with the title for the 6 Cutler Street property. The buyers are using American Title Insurance to examine the paperwork. There was an incorrect Book and Page in the 2014 closing documents directing parties to the Housing Trust's Declaration of Trust. Though corrected with a Confirmatory Deed and a related affidavit by the Chairman of the post. Another issue was a hesitancy to accept documents signed by the Massachusetts Adjunct as equivalent to a corporate clerk. Both Attorneys are going back and forth with the title representatives. Chicago Title Company who the Trust is using is willing to insure title. The buyers Attorney want a credit of \$15,000.00 due to their concern about resale after redevelopment to cover the cost of probate. The buyer originally wanted \$25,000 and the Trust Attorney communicated that this is unacceptable.

The Trust did discuss if they could accept the second highest bidder which came in \$600.00 lower than the current bid but with a permitting contingency which could take over a year to resolve and would involve demolishing the current structure. The other issue discussed is that the bid may not still be binding and may need to be rebid. The Trust has spent about \$8,000.00 in closing-related legal fees to date.

The Trust wants to make sure it is indemnified from the buyer ever coming back to the trust. The trust does not want to be responsible for the property in the future. The Trust was informed that the buyers have not threatened to terminate the deal.

There was a recommendation to offer \$10,000.00 for closing credit.

**On a motion made by Glenn Trindade, seconded by Judi LaPan, the Trust voted by roll call to recommend a closing credit of \$10,000.00 to address potential title issues subject to the Attorneys recommendation.**

### **Roll Call Vote:**

|                       |            |
|-----------------------|------------|
| <b>Ann Sherry</b>     | <b>aye</b> |
| <b>Jack Wolfe</b>     | <b>aye</b> |
| <b>John Parlee</b>    | <b>aye</b> |
| <b>Glenn Trindade</b> | <b>aye</b> |
| <b>Judi LaPan</b>     | <b>aye</b> |

**On a motion made by Glenn Trindade, seconded by Jack Wolf, the Trust voted by roll call to allow the Attorney and Chairperson for the Trust to execute any and all documents to consummate the closing.**

### **Roll Call Vote:**

|                       |            |
|-----------------------|------------|
| <b>Ann Sherry</b>     | <b>aye</b> |
| <b>Jack Wolfe</b>     | <b>aye</b> |
| <b>John Parlee</b>    | <b>aye</b> |
| <b>Glenn Trindade</b> | <b>aye</b> |
| <b>Judi LaPan</b>     | <b>aye</b> |

The Town Attorney will contact the parties tomorrow and will report back to the Trust.

**On a motion made by Glenn Trindade, seconded by Jack Wolf, the Trust voted by Roll Call to adjourn executive session and return to open session to close the meeting.**

**Roll Call Vote:**

|                       |            |
|-----------------------|------------|
| <b>Ann Sherry</b>     | <b>aye</b> |
| <b>Jack Wolfe</b>     | <b>aye</b> |
| <b>John Parlee</b>    | <b>aye</b> |
| <b>Glenn Trindade</b> | <b>aye</b> |
| <b>Judi LaPan</b>     | <b>aye</b> |

**On a motion made by Glenn Trindade, seconded by Jack Wolf, the Trust voted by Roll Call to close the regular session.**

**Roll Call Vote:**

|                       |            |
|-----------------------|------------|
| <b>Ann Sherry</b>     | <b>aye</b> |
| <b>Jack Wolfe</b>     | <b>aye</b> |
| <b>John Parlee</b>    | <b>aye</b> |
| <b>Glenn Trindade</b> | <b>aye</b> |
| <b>Judi LaPan</b>     | <b>aye</b> |

Respectfully Submitted,

Amy Sutherland  
Recording Secretary