



**Town of Medway**  
**Affordable Housing Trust Fund**  
**Affordable Housing Committee**

**JOINT MEETING MINUTES**

Wednesday, August 22 2018 – 7:00 PM

76 Oakland Street

Medway, MA 02053

**Board Members:**

Ann Sherry, Chair

Judi LaPan

**Committee Members**

Bob Ferrari, Chair

Michael Leone

Judi LaPan

**Also Present:**

Douglas Havens, Community Housing Coordinator; Amy Sutherland, Recording Clerk

Present

Absent

Glenn Trindade

John Parlee

John Parlee

Sue Rorke

Alison Slack

Present

Absent

Trust Chair, Ann Sherry opened the meeting for the Affordable Housing Trust.

Acting Committee Chair, Alison Slack opened the Affordable Housing Committee meeting.

**Minutes:**

The minutes from May 9, 2018 and July 18, 2018 will be approved at the next meeting.

**Enforcement of Deed Restrictions:**

The Trust and Committee are in receipt of a document entitled “Enforcement of MGL 40 B Deed Restrictions.” The draft letter in the packet was reviewed by the Trust and Committee. The purpose is to request assistance from the Senators and Representatives in improving the implementation of affordable housing programs that provide home ownership opportunities for persons of low and moderate income. Due to financial limitations the enforcement of deed restrictions protecting the long term affordability of units is quite lax. The letter proposes legislators work with the Department of Housing and Community Development officials to make statutory amendments to facilitate the monitoring and enforcement of compliance.

The deed riders usually stipulate that the owners of an affordable unit must occupy the premises and cannot lease, refinance or grant a second mortgage without consent of monitoring agent. In addition to the monitoring agencies, Municipalities have rights to enforce the covenants and restrictions of the deed rider, but it is an extremely costly venture for the

municipality. The Town of Medway has had situations where the owner has moved out and the property has been rented out or has allowed relatives to live there without permission of monitoring agent. Some units have also been refinanced or added a second mortgage on the property for more than the property is worth. If statutory language could be amended to include the Commonwealth through DHCD and/or Attorney General's Office as a party that may enforce the deed rider.

Another issues discussed was the condominium units and how the owners of the affordable units pay a reduced condo fee related to the qualifying income limit of qualified buyers. The issue related by Home Owner Associations arises when the owners of affordable units subsequently have an increase in income but continue to pay the reduced condo fee. This creates a form of inequity for the other owners who contribute more vigorously for common upkeep. One suggested remedy for this would require annual certification in writing to the condo association whether the owner's income exceeds the area's income guidelines for eligible buyers.

Selectmen Crowley was present and informed the Trust and Committee that there is a regional meeting of selectmen and town managers in September that he will be attending and addressing about affordable housing. He would like to present in front of the legislatures about several issues with 40B and how it effects the Town of Medway along with other municipalities.

Mr. Crowley also discussed the 2020 census and how it will the new number of units required to reach the 10% required by 40B. He asked the members what the cut-off date would be for counting town households as the new basis for calculation. It was indicated that the cut off would likely be the end of 2019.

Another question related to how the Salmon development's and assisted living units would be counted toward the town's 10% requirement. It was explained that those do not count towards the 10% figure. Selectmen Crowley presented the committee/trust with draft projections for the 2020 census numbers and the anticipated increase for required affordable units.

It was recommended that letters go out to Medway Affordable unit owners assuring that they are aware of deed restrictions and ask them to certify compliance with the deed restrictions. Mr. Havens indicated a draft of such a letter was in the members' meeting packet.

### **Other Business:**

- Doug Havens will attend the Woodside Home Owner's Association meeting next Wednesday, September 29, 2018 at 7:00 pm.
- Doug will work with CPC to help them provide their annual report on the use of CPA funds.
- There is a Board of Selectmen meeting on September 10, 2018 which Doug and Ann Sherry will attend to provide an update report. Chairman Sherry will present.

### **Cutler Street:**

There has been no action taken to dispose of Cutler Street property. Mr. Havens was charged with drafting a Request for Proposals to purchase and develop the property. Abutter Meo requests that the town remember the interests of the abutters with any decision regarding Cutler Street.

**Finances:**

**FY 2018 Reconciliation:**

The Trust and Committee are in receipt of the FY 2018 Reconciliation report provided. After review there were noted revisions.

**On a motion made by John Parlee and seconded by Judi LaPan, the Trust voted unanimously to accept the FY 2018 reconciliation with noted revisions.**

**Invoices for Payment:**

**On a motion made by John Parlee and seconded by Judi LaPan, the Trust voted unanimously to pay the bill for Eversource in the amount of \$17.58 as presented.**

**Other Business.**

Town hall has started recruiting for Jack Maguire's replacement as Trustee.

**Future Meeting:**

Future meeting dates will be Tuesday, September 18, 2018 and Wednesday October 17, 2018

**Adjourn:**

**Trust:**

**On a motion made by John Parlee and seconded by Judi LaPan, the Trust voted unanimously to adjourn the meeting at 8:30 pm.**

**Committee:**

**On a motion made by Mike Leone and seconded by Judi LaPan, the Trust voted unanimously to adjourn the meeting at 8:31 pm.**

Respectfully Submitted,

Amy Sutherland  
Recording Secretary

Initially Edited,  
Doug Havens  
Housing Coordinator