

# LINCOLN HOUSING COMMISSION

## MEETING MINUTES

Thursday, April 6th, 2023, 7:30 pm

**Members present via Zoom: Allen Vander Meulen, Chair; Commission Members Rachel Drew, Julie Brogan, and Neil Feinberg; and Donald Fonseca (Affordable Housing Liaison).**

**Also present:** Peggy Elder, Lincoln Housing Commission Administrator. Vice Chair Evan Gorman joined while the meeting was in progress.

**Absent:** Terry Perlmutter, COA&HS Liaison.

Chair Allen Vander Meulen called the meeting to order at 7:04pm as a virtual meeting pursuant to Gov. Baker's March 12, 2020 order, and as recently extended (again); suspending Certain Provisions of the Open Meeting Law.

### 1. Welcome New Members

The commission welcomed new members, Neil Feinberg and Julie Brogan, who both won their respective elections on March 27, 2023. Both Neil and Julie had attended and introduced themselves at the previous HC meeting on March 2<sup>nd</sup>, and further introductions were not needed.

Julie asked for documents, such as meetings and presentations, that could help her better understand the Commission and its work. Rachel noted that she found reading previous meeting minutes were quite helpful, going back several months from before she joined.

Allen suggested looking at the 2014 Housing Plan document on the Housing Commission's web page on the town website. While it is due for a refresh, it provides a lot of useful information as to the history, mission, and ongoing challenges of the Housing Commission's work.

### 2. Town Meeting Outcomes

Our CPC Funding Request (\$275,775) was approved unanimously and without comment at Town Meeting.

More controversial by far was our proposed Home Rule Petition to reorganize and expand the Commission to 7 members, all appointed to three year terms.

Rachel reported that the debate at Town Meeting following her presentation lasted for about 40 minutes, centered mainly on the conversion of the commission from a mixed (3 elected, 2 appointed) body to an all-appointed one. After the prolonged discussion, the proposed amendment to require 3 of the 7 members to remain elected rather than appointed failed by 3 votes. The original motion then passed with about a dozen "No" votes. Her impression of these results is that while many would have preferred some elected seats to remain on the commission, they did not want the failure to pass that amendment to derail the entire proposal.

Allen then added that the next step will be for the Select Board to submit the petition to the State, and likely negotiate with the DHCD, State House, and State Senate, to get it passed and then signed into law. That process could easily take well over a year. Until then, Donald and Terry will remain

“Liaisons” instead of voting members. Rachel will follow up with Jennifer Glass and Tim Higgins to keep tabs on the process as it proceeds.

### **3. Recertification Status**

Of our 7 Tenants, 6 completed their recertifications. One never submitted their recertification documentation and has been sent a notice that their rent will go up to market rate, and warning of possible eviction if they do not submit their paperwork immediately.

Peggy has not yet received confirmation that the notification has been received by the 7<sup>th</sup> tenant. She will check with the post office as to what happened. This tenant has cognitive challenges, which contribute to this situation. It was suggested that we contact this tenant by phone rather than via written notifications. The COA&HS can likely help with contacting the tenant, although Terry is absent this evening. Allen will talk with Abigail Butt about how best to contact and encourage the tenant to comply.

Another tenant is also very far behind in their rental payments. This is a chronic problem with them, despite a change to their lease that greatly reduced their rent. Allen confer with Abigail about this tenant, too.

It was agreed that most of the issues we’ve experienced with this recertification cycle are due to the transition to having the RHSO manage the recertification process, combined with Elaine’s retirement. It should be much smoother in the next recertification cycle. Allen will confer with the RHSO as to when we should begin the next recertification cycle, given the long delays in getting the current cycle completed.

### **4. Housing Choice Act Workgroup Status Update**

Rachel reported that the Housing Choice Act workgroup last met in early March. In that meeting they met with the group that will be helping them with the technical aspects of the project to determine which parcels and how much land would get us into compliance with the Housing Choice Act (HCA). The principals from that group (Utile) gave a presentation looking at what they had learned about Lincoln so far, relative to this task. After getting feedback, they are going back to work on what will be needed to comply and provide options for the next meeting.

Four possible areas that might be rezoned to achieve compliance include the Lincoln Station area, North Lincoln (Battle Road Farms & Minuteman Commons), The Commons/Oriole Landing, and the Farrar Pond Condos. All of these areas already contain higher density housing,. The rezoning would allow high density housing to be built “by right” in these areas (vs. by Special Permit and Town Meeting approval) should they ever be redeveloped.

Rachel stressed that complying with the HCA only requires adopting zoning that allows a certain amount of higher density housing “by right” – it is not a plan to actually build anything, just makes it easier for such housing to be built in those areas in the future.

Rachel also noted that the State’s new Attorney General (Andrea Joy Campbell) has stated that she believes the HCA exposes towns (who do not comply with the HCA) to lawsuits under the Federal Fair Housing Law, even though the HCA itself only limits access to various grant programs for towns who do not comply.

The HCA Workgroup plans a considerable public outreach to receive feedback and to educate people about the HCA, its implications, and its requirements.

#### **5. Housing Liaison Status Report**

Donald reported that he is working on how best to get the word out about his position as a Liaison for those in Affordable Housing. The Oriole landing management did not appear to be very receptive to this.

A second issue is with the vendor that performs the recertifications for Oriole Landing's tenants (South Middlesex Opportunity Council). Donald has received many complaints about issues such as inconsistency and lack of communication, lack of professionalism, demands to submit paperwork that was already submitted, etc. Rachel noted that she has heard of similar issues for many people who must recertify through state-contracted vendors, and people have been losing their subsidies (and their homes) due to these bureaucratic errors on the part of the state's representatives.

Allen is working on scheduling a meeting with Abigail Butt, Paula Vaughn, Donald and himself to enumerate the issues and develop a plan on how to improve the situation.

#### **6. Housing Commission Web Page**

Rachel noted that the Housing Commission web page on the town website is woefully out of date, and with links to information that is no longer relevant to the current work and focus of the commission (such as Affordable Accessory Apartment program). She asked how we can update it.

Allen said that Peggy can do so, which Peggy confirmed. He also noted that doing so was one of his goals for tasks to begin work on in the near future; as is the refresh of the 2014 Housing Plan document.

Rachel volunteered to work with Peggy on reviewing and updating the Housing Commission's web page. Allen asked if Rachel and Julie could work together to get this done, in part to help Julie come up to speed on the work of the Commission. They both agreed.

#### **7. Electing New Chair / Vice-Chair**

Allen said that while he does not want to continue indefinitely as Chair, nor does he think it in the town's (or Housing Commission's) best interest if any Chair remains in place for long periods of time, he would like to continue for another year as Chair to see through the Commission's reorganization and expansion. He said he had not put this topic on the agenda so soon after the election because he felt it best for folks to get to know each other a bit better before making such decisions, but he is open to making that decision now if that is what everyone wants.

Allen added that we also need to elect a Vice-Chair: Evan Gorman the current Vice-Chair (who was absent at this point of the meeting) has said he would be happy to hand off that responsibility to someone else. Rachel replied that she would volunteer to be Vice-Chair, since it keeps her from becoming Chair.

It was agreed that since Jennifer, Terry and Evan are all absent, that it would make sense to postpone this decision until all Commission members are present, and we can also hear from all of our Liaisons.

## 8. **2014 Housing Plan “Refresh”**

*<Evan Gorman joined the meeting at this point.>*

A statistical refresh and accompanying analysis was requested several months ago by Gary Taylor of the Planning Board (and a former HC member). Rachel will do this once the required data is available from the Census Bureau – hopefully this May. A full-scale refresh of the report is an entirely different (and much larger) project, well beyond what one person can do.

Rachel feels a comprehensive review and refresh of the report, while not needed from an SHI management point of view, is needed in light of the Housing Choice Act and other concerns of the town's. Allen agreed.

Allen and Rachel will both review the 2014 document to determine what sections need work, and to get a rough idea of the scale of such an effort. Allen will put the document up on Google Drive so that all Commission members can review (and comment-on or mark-up) the 2014 document as part of this effort. This would be a very high level review, detailed changes or suggestions are probably overkill. High level (i.e., per-section / sub-section) comments would be best.

## 9. **Tenant and Maintenance Status**

30 Sunnyside: In March we replaced the failed furnace of this tenant with an electric furnace. (The Water Heater is still oil-fueled.) Since then, his electric bills more than doubled. This is in part due to the replacement being done at the coldest part of this winter, and also because they apparently do not (yet) have “Even Pay” from the electric company, which would average out such bills over the course of the full year. (Another factor was the tenant's not using the system in the way it was designed, for maximum efficiency, but they have since been given guidance on this.) Thanks to the approval of the CPC Funding at Town Meeting, a Heat Pump is due to be installed over the Summer, which will also reduce his bills significantly.

Allen and Evan discussed the situation, and – using the unused balance of the “Furnace Installation” funding the Commission approved in the emergency meeting at the end of March – offer to compensate the tenant for the unexpected increase in their electric bills until the Heat Pump is installed. Peggy will contact the tenant to provide them that offer. Contingent on this offer is that a NEST Thermostat also be installed, which should further increase efficiency, and that we have access to it so that we can monitor usage and determine if there are other problems.

In response to questions about security and privacy raised by Julie, the members were assured that the NEST Thermostat can only monitor and control the functions a Thermostat normally has – the unit's ambient temperature, and the heat and A/C settings.

In response to Rachel's questions, Allen noted that there is actually a much bigger problem here in that all of our tenants, when they convert to their new Heat Pump, could see a big jump in their electric bills. Signing up for “Even Pay” will control that in the long run, but they may still see a few big bills at first, until the Electric Company has sufficient history of the tenant's increased electrical

usage to make a calculation of average monthly cost over a year's time. We will need to be prepared to assist our tenants to get over this jump in their electric bills (should it occur).

Allen will work with Peggy to calculate the amount we will reimburse the tenant, and Evan will approve it out of his already available funding as discussed above. We will revisit the issue as the new Heat Pumps are installed.

75 Tower: Two large bills – about \$750 each - were received for heating system repairs at 75 Tower. One of the tenants was without heat for a weekend. They were offered a hotel room but decided to stay at home instead. Evan is looking into exactly what was done before approving the payments.

#### **10. CPC Projects Status**

As mentioned at the start of the meeting, our entire COC Funding request – 4 projects – was approved at Town Meeting. Two of the projects (Radon Remediation and the Driveway Renovation at 75 Tower) are funded out of available CPA funds, which means they can start immediately. The other two (New Heat Pumps, and 75 Tower exterior repairs) will be funded out the next Fiscal Year's Budget, meaning that work can begin on them on as of July 1 this year – although planning and the RFP process will get underway immediately. Evan and Allen will be working with Dan to get these projects underway.

*<Evan Gorman left the meeting at this point>*

#### **11. Approval of Draft Minutes**

Rachel moved to approve both the March 22<sup>nd</sup> meeting minutes as written. Julie seconded. Roll Call Vote: Rachel – aye; Evan – aye; Julie – aye, and Neil – aye, and Allen – aye. The motion carried unanimously.

#### **12. Next Meeting**

All members present agreed the next regular meeting date was acceptable. There was also no interest at this point in changing our regularly scheduled meeting time (the First Thursday of each month at 7:00pm).

#### **13. Hybrid Meetings**

Hybrid meetings are now allowed by the State. Allen would be happy to host hybrid meetings from person at Town Hall, if there is interest in going that route. Neil and Rachel both feel we should continue with entirely virtual meetings, there seems to be no advantage to going Hybrid. Julie said that while she's tired of Zoom, she did not feel strongly about going in person or hybrid, and then suggested that perhaps we meet once a year in person.

Peggy noted that only the Donaldson Room supports hybrid meetings, which means it is unlikely we could have hybrid meetings even if we decided to go that way.

#### **14. Adjourn**

Rachel moved to adjourn the meeting. Neil seconded. Roll Call Vote: Rachel – aye; Julie – aye; Neil – aye; and Allen – aye. The motion carried unanimously and the meeting was adjourned at 8:26pm.