

**LINCOLN HOUSING COMMISSION**  
**Minutes**  
**Wednesday, May 4, 2022 7:00 p.m.**

**Members present via Zoom: Allen Vander Meulen, Chair; Evan Gorman, Vice Chair; Victoria Benalfew, Rachel Drew; Rakesh Karmacharya; and Terry Perlmutter, COA&HS Liaison.**

***Also present: Elaine Carroll, Housing Commission Administrative Assistant; Melyssa Atwood, tenant; Abigail Butt, Director COA&HS (at Ms. Atwood's request).***

*The meeting was called to order by Allen Vander Meulen, Chair, at 7:05pm as a virtual meeting pursuant to Gov. Baker's March 12, 2020 order, as extended on June 15, 2021 with the Governor's signing of Senate Bill #2475, suspending certain provisions of the Open Meeting Law.*

**1. Status Updates: Maintenance & Tenant Issues**

a. 75 Tower Physical Maintenance:

Ms. Atwood detailed the continuing maintenance issues within her apartment at 75 Tower. There is rotten wood around the windows, fascia, and soffits. It was also learned that the upstairs bathroom fan vents into the attic, and that there are ongoing mildew problems in the upstairs bathroom. While this is allowed per building code, it is not a recommended practice contributes to rot and mold in the attic. Mice are also attracted due to the warmth and humidity.

Evan will coordinate with Gerry to replace the existing upstairs bathroom fan arrangement with one that vents to the exterior of the house. This will include fixing the rotten wood around the exterior of the house, which will likely include replacing what appears to be a rotted window in a dormer on the front of the house.

There are concerns about the roof as well, Evan will check with Gerry to determine if any repairs are needed, and will also ask whether the stove hood in the other apartment is adequate (and can be changed to one that vents to the outside)

Waltham Pest Control is charging us \$75/month for pest control. While their work is controlling mice well, we are not receiving any description at what work (if any) is being done. Melyssa has not seen them, and her security camera shows no activity. Evan will check with Gerry and the vendor, and make sure they have the proper contact information for billing (Elaine) and coordination of treatments (Gerry).

The suggestion of mold testing was raised. It was suggested we fix the known problems, then if the tenant(s) are still troubled, we can consider doing mold testing at that time.

b. 75 Tower Landscaping Issues

Longstanding issues at 75 Tower removing the deteriorated and dangerous concrete curbing along the drive; removing the unused "loop" portion of the drive; addressing drainage and significant erosion problems; and discouraging users of the trail across the street from parking on the lawn.

Also, a fallen tree damaged the fence behind the home. Evan will contact DPW to remove the tree, then coordinate with Gerry to repair the fence. One or two other trees, undermined by changing water levels, seem ready to fall towards the house. DPW needs to check these trees and remove them (or recommend another solution).

Director of Conservation Michele Grzenda visited the property with Allen, and felt that removing the old curb with some minor adjustments to the grading along the drive, will allow the water to flow into the lawn and dissipate rather than being forced to run around the curbing, creating a strong stream that is eroding near the entry to the drive. She suggested adding 8" rocks there to slow water flow. (This will also discourage the parking of cars on the lawn.)

Allen will review these plans with the conservation commission and ask for their approval to make these changes. Tentatively, he will be doing so at their May 10<sup>th</sup> meeting.

*Abigail Butt and Melyssa Atwood left the meeting at this point.*

## **2. Tenant Recertification**

Allen explained that we intended to do this portion of the meeting in "Executive Session" (ES) but after conferring with the town's legal counsel, learned that his understanding of the Open Meeting Law (OML) is outdated. It would be very complicated for us to go into ES given the current OML rules. Also, the original reason for having an ES is moot, as explained below.

*[Due to severe audio distortion on Victoria's Zoom connection, Allen spoke on her behalf for the remainder of this portion of the meeting.]*

Our most recent tenant recertification, like others in recent years, was challenging because some tenants are extremely slow in getting their paperwork completed and turned in. We are only just completing last June's recertification cycle, and it is now time to begin again. Recertification should not take long. Tenants tardy in supplying the required information are a major problem. We need stronger incentives to encourage tenant compliance.

Although, due to the COVID rent freeze, changing rents was moot anyway. The purpose of the most recent recertification was only to verify tenant income still qualified, and to provide warning to us if a tenant might experience a significant increase in their future rental rate(s).

Finally, until the new leases are signed, we probably cannot legally enforce the new parking policy.

In response to these concerns, and informed by our recent meeting with the Liz Rust/RHSO, Victoria has created a new recertification policy statement, the first draft of which was shared with the Commission.

In conferring with Liz Rust, Victoria and Allen learned that Medical Deductions are one of the 5 categories of deductions that can be granted, as long as we have a published policy.

She recommended using HUD's guidelines (HUD Handbook 4350.3, "Occupancy Requirements of Subsidized Multifamily Housing Programs") for what deductions to allow, and how to qualify.

The current lease (section 30) requires all documentation to be turned in within 30 days, although there is no mention of penalties for not doing so. The RHSO says most organizations revert tenant's rent to market rate if they do not turn in their documentation on time. Per the lease, we would have to give them 14 days notice of such an increase.

Rachel Drew pointed out that these income exclusions might be challenging for our tenants to document the first time around. They may need more time to qualify during this first cycle. Allen said the current lease allows for a tenant to petition for additional time to complete their recertification, should their situation warrant it. Terry suggested that when we send out the recertification letter, we should inform tenants of what their market rate will be should they fail to complete the recertification on time. Rachel said this information is readily available from published HUD data for the Boston Metropolitan area.

Elaine has the letter that was sent out last year. She and Victoria will work on revising the letter, which will need to be sent out in late June.

The revised recertification notification letter should list the deduction categories and what information is needed to qualify; as well as the penalty for failing to complete the recertification on time. (Note: the deduction qualification does not have to be completed at the same time as the recertification itself.) Allen and Victoria will work on finalizing the new Recertification timeline policy in light of the current lease template's deadlines before the next meeting.

Victoria thinks tenants will respond to these changes better if they come from the RHSO instead of from the Commission (or Elaine): some feel that when working with us they can bend or ignore "the rules" without consequence. Making tenants work directly with the RHSO for recertification will encourage them to take the process much more seriously.

Allen asked for a sense of whether the commission feels we are going in the right direction on this, subject to a formal approval of the revised letter and finalized policy at our next meeting.

### **3. Abandoned Vehicles**

We may be on legally shaky ground for towing derelict vehicles until the tenants sign the new lease. Any further effort on this is tabled until that happens (i.e., this Fall).

Rachel asked if anything else could be done in the meantime, since the two derelict vehicles at Sunnyside are an obstruction from an emergency services (Fire, EMR) point of view, as well as for handicap vans, contractors, snowplows, lawncare services, and visitors to other units. Terry reported that neither of the tenants who own these vehicles have reached out to the COA&HS for help, despite repeated offers and warnings. Allen responded that nothing cannot be done, but this should not be a major issue until we get close to Winter.

### **4. SLPAC & Diversity**

Rachel reported she and Allen met with the Selectboard (SB) last Monday. The SB confirmed their approval is not needed for the Mission Statement revision. They suggested incorporating the town's own mission statement by reference, in case it is ever changed and have no objection to adding another Liaison (to represent residents of Affordable Housing in Lincoln). We will have to solicit for candidates, then present our recommended candidate to the Selectboard for approval. Rachel would like to start that process now.

To make these two Liaisons full members of the commission will require a Town Meeting vote to approve the changes, then an Act of the state legislature to approve amending the Housing Commission's charter (which is granted by the state). This can be voted-on at the next Town Meeting, but there is no guarantee the State Legislature will consider this soon. The splitting of Lincoln to be part of two legislative districts complicates the process, too.

The SB is also concerned whether we can fill these two new voting positions. Rachel responded said that she felt that once those in Affordable Housing in Lincoln learn they would have a tangible voice and vote in setting and enacting Affordable Housing Agenda and Policy in town, there will be plenty of interest in the position. The SB also asked that that the new position descriptions allow them to approve others for the position if a candidate fully meeting the position's requirements is not available.

Rachel will send out the revised draft of the Mission Statement via email after the meeting. She will also work with Abigail Butt to develop a process for finding candidates for the Affordable Housing Liaison.

SLPAC meetings are suspended in light of recent developments, particularly the DHCD's recent draft guidance with respect to conformance with the Housing Choice Act of 2021. Rachel is unsure when or what these discussions will entail, but will keep Allen informed of when such discussions will occur, and their outcomes.

*[At this point Rachel Drew left the meeting.]*

## 5. **IDEA**

Rakesh says IDEA is fleshing out scope and details for deliverables and timeline of an RFP for a consultant to help with research and surveys within the town, then develop a short term and long term roadmap and goals for improving and promoting Diversity and Inclusion. A look at other communities in the Commonwealth indicates Nantucket did this recently, and could be a good model for Lincoln's IDEA effort.

## 6. **COA&HS**

Terry reported the Lincoln Foundation sent out applications for a new round of Home Improvement grants to owners of Affordable Units at Battle Road Farm. COA&HS Director Abigail Butt will be working with Terry Morgan of Lincoln Foundation to encourage those needing such repairs to apply.

## 7. **AAA Status Update**

Allen met last week with Liz Rust/RHSO; Paula Vaughn, Director/Land Use; and our Attorney Kathleen O'Donnell to developing the marketing plan, regulations, and processes needed

for the program.

The marketing plan is pretty much done, and should be ready to launch this summer.

AAA was promoted as allowing homeowners to (more or less) pick tenants they'd feel comfortable-with from the program's "ready renters list". However, the RHSO is certain this will not actually be allowed. DHCD will insist that AAA participants be required to choose from the first three candidates presented to them from the ready renters list, or else drop out of the program. Allen feels this may well kill the program's already limited appeal to homeowners. Work will continue on the finalizing the program's details, with hopes to be ready for rollout in July or August.

## **8. Finances**

Allen reported that our Revolving Fund balance dropped roughly \$30,000 in the last few months (to just under \$99,000 as of the end of March). This is in large part due to the major repairs at 30 Sunnyside and 75 Tower, and the COVID rent freeze.

## **9. Other Business**

Allen noted that Jennifer Glass is our new Liaison from the Selectboard. She replaces James Craig. Rakesh said James was also chair of IDEA.

## **10. Summer Meeting Schedule**

Next meeting is June 1 at 7:00 pm.

A challenge in our current schedule is that Liz Rust of the RHSO cannot meet with us on the first Wednesday of each month, so another night might be better to facilitate her participation. We will reconsider changing our current schedule in the future.

## **11. Approval of Minutes from April 6, 2022**

Evan moved to approve the minutes from the April 6<sup>th</sup> meeting as written. Victoria seconded. Roll Call Vote: Evan Gorman - aye; Rakesh Karmacharya – aye; Victoria Benalfew - aye; Allen Vander Meulen – aye. The motion passed unanimously.

## **12. Adjourn**

Victoria moved to adjourn Rakesh seconded. Roll Call Vote: Evan Gorman - aye; Rakesh Karmacharya – aye; Victoria Benalfew - aye; Allen Vander Meulen – aye. The motion passed unanimously and the meeting adjourned at 8:21pm.

*Approved: June 1, 2022*