

## **Edgartown Affordable Housing Committee Meeting**

**Tuesday November 16, 2021 at 5:00 PM**

Members in Attendance: Mark Hess, Tim Rush, Christina Brown, Christine White, Jason Mazar-Kelly

Others present: Arielle Faria, Pam Dolby

Chairman Hess opened the meeting at 5:00 PM.

Minutes: Christine White moved to approve the October 19, 2021 minutes. Tim Rush seconded the motion and the motion passed unanimously.

Old Business:

Chasin/Litchfield lot update: Chairman Hess requested an update from the administrator in regards to the pending lottery process. The administrator replied that she had been in touch with David Vigneault of DCRHA and he should be sending her the information packet for potential applicants. Mr. Vigneault needed to have a discussion with the lenders to iron out details of the lending process. As soon as the administrator receives the packet she will forward it to the Committee members.

Meshacket developer proposal review: The Chairman explained that the administrator sent the proposal to all committee members to review as he was able review it himself. Chairman Hess went on to say that an important meeting would be held that Wednesday at 3 PM and he urges all committee members, even if they are not on the selection committee, to attend if they can. The Chairman commented that the proposal looked good, the site plan looked terrific, rental and ownership make up was as suggested and the powers in the town seem impressed with what they have seen so far. Chairman Hess asked if the administrator had anything to add and the administrator replied that if the Committee members come up with any additional questions, please feel free to ask them at the meeting on Wednesday or send them along to her ahead of time. The one thing she would note in the proposal is that the management plan was a little slim and the selection committee plans on asking questions about that given past experiences with TCB at Morgan Woods. The administrator also noted that this team also had a proposal out in Oak Bluffs and would also be using TCB for their management of the property. Christina Brown asked the administrator if she thought that TCB (Oak Bluffs project) is also going to be concurrent with the (Meshacket) project. The Chairman responded saying that he didn't want to get into the mix about what Oak Bluffs is doing or what developer they pick but the hope is that if and when in the long run both proposals end up being done by the same developer, that a comprehensive plan for the existing Morgan Woods management and our new Meshacket management as well as the potential management in any other town on the island would promote a more comprehensive look at how any property is managed by a company that is developing and operating various projects on the island. Christina Brown commented that she would like to hear more of what TCB's role in managing Meshacket would look like but also how they are going to manage the other projects on island. The Chairman reiterated that he doesn't think it is

under the Committees purview to discuss or speak with (IHT/AI) about how they are going to manage other properties in other towns, if they are so involved with other towns. If they do get involved with other towns then the Committee can have a conversation with them about how to properly manage all the properties on the island. The Chairman urged all members of the AHC to attend the Meshacket selection committee meeting the following day at 3 PM.

Municipal Housing Salary discussion: The Chairman asked the administrator for any updates. The administrator commented that she sent the Committee the latest draft of the proposed position along with two examples from other towns as well as a proposed salary range. The administrator added that the Committee needed to pick a salary range and a start date for the position in conjunction with a letter of recommendation. Christine White asked if this has to go to town meeting and the Chairman replied that she was correct. The Chairman replied that throughout the last year this committee has spoken about developing a position within the town that is more of a position for a municipal housing director or whatever the title may be. The committee settled on the fact that it is the Committees recommendation to the town that the possibility this position be explored in terms of the need, the Committee feels there's the need for it moving forward and what the salary range may be so the Chairman believes the Committee made their proposal no matter how informal or formal to the town and he believes it's in the Town's court now to decide whether or not they want to explore the position further. The Chairman believes they've made their recommendation, more importantly, currently and for the foreseeable near future, he thinks the Committee needs to make sure that the position that they have right now is properly compensated for the position that Arielle (Faria) holds for the time that is put in, in terms of the pay scale/hourly rate and whatever else is entailed and he thinks that is what needs to be focused on now. The Chairman believes the Committee has made it clear what their position is with the Town and perhaps they need to meet with James Haggerty again on this issue. Chairman Hess believes the Committee has made it clear that they feel that there is good potential for having a town position for this. The Chairman added that Nantucket has a position that is compensated in the correct fashion, things that are going on in the realm of affordable housing need 24-hour attention that the Committee, while they have the authority to make decisions on things, doesn't have the time to follow properly through with on a lot of projects that need taking care of. Chairman Hess continued that the housing problem will be an ongoing issue in Edgartown for a long time to come. Jason Mazar-Kelly mentioned he had a couple of thoughts regarding wage range. Mr. Mazar-Kelly stated that in an email sent from the administrator the recommendation from HR was an I grade and the question is, are there different wage steps from one to eight. The administrator answered in the affirmative. Mr. Mazar-Kelly then asked if the town would provide an insurance benefit on top of that. The administrator answered that she receives that benefit when working over 20 hours so that would be a given and yes especially as it is a 40 hour a week position. Mr. Mazar-Kelly then asked if there is a requirement for whomever applies to the position in the future to have stable year round housing on the island as that would relate to how much the salary should be. The administrator replied that she is sure that should be a consideration but given the housing situation on the island it might be tricky to navigate. Mr. Mazar-Kelly commented that given the cost of living on the island, a salary range similar to Nantucket would be appropriate. The Chairman commented that the other option is that thanks to the Houlihan property and CPC there

is a lot of money set aside for Meshacket so in the short term the Committee certainly can still adjust the budget if the town isn't able to give an answer on this in the short term, to pay the Committee administrator the proper salary, whatever short fall may be present. The Chairman reiterated that it is in the town's court to really tell the Committee how they feel about this possible position. The Chairman called on Pam Dolby and Ms. Dolby asked if the Committee is paying for Blue Cross Blue Shield now. The administrator replied that the town pays for benefits but she does not actually take the town benefits. Pam Dolby replied that the town legally shouldn't be paying for benefits and it's not about the administrator it's about the position being funded with affordable housing funds which is separate from the town budget and the town can't legally pay the Blue Cross Blue Shield for that person. The Committee itself needs to be paying for the Blue Cross Blue Shield for that individual. Ms. Dolby, asked if it was okay for her to talk about this a little bit and the Committee replied in the affirmative. Ms. Dolby went on to say that technically, what the Committee should do is drop the job description and have the Town of Edgartown put it on the pay scale because once the Committee commits money to whomever, the Committee is stuck with that, it can't be said that "Oh we're going to pay you this now". Ms. Dolby added, that the Committee is dealing with funds that were donated for affordable housing so if the Committee gets themselves into a situation where they are paying someone x amount of dollars and benefits, that money that was given for affordable housing technically isn't going to go to affordable housing so the tax payers should be paying this salary in order for all the money that was given for affordable housing, goes to affordable housing and affordable housing projects. Ms. Dolby went on to say that when (the Selectboard) first voted the municipal trust agreement, she knows there was a limit that the Committee could spend without going back to the Selectboard but she also thought there was an amendment made on the town meeting floor that said that the town of Edgartown could not commit itself to long-term mortgages or long term commitments with that money because everyone realized the money is eventually going to run out and then all those commitments would come back to the tax payers without having had them vote on it to begin with. Ms. Dolby thinks the best way for the Committee to go about this is to start with the Town of Edgartown and create the position on the scale, it's safer for the employee and better for the Committee. The Committee can spend their money where it needs to be spent. Chairman Hess replied that when the Field Club deal went through, that money for instance, was restricted for particular uses and underlined no administrative costs and the Committee has not used any of that money for administrative costs. To Chairman Hess' knowledge, other donations can be used for administrative costs. Ms. Dolby interjected that administrative costs were minimal (then) and now the committee is talking about a good salary with all the benefits, Ms. Dolby has heard all different kinds of numbers but a salary that she believes matches up to some of the biggest salaries in town, while that is all well and good it should be set up through the town of Edgartown and voted on by the tax payers. The Chairman replied that Ms. Dolby was correct and that is the what the Committee is trying to do. The Chairman went on to say that four or six years ago, when the Committee was deciding to give this or that person the job it was a part-time job and the salary was below \$15,000.00 a year for minimal tasks. Now, the job requires a lot of work, no matter who pays for it, it's an important job, it's an important island issue, it's a critical island issue and the Committee is trying to figure out how to administrate it, through the Committee and through the Town of Edgartown in a fair way that solves the problem

for the Town, for the tax payer, for the resident, for the person that is looking for affordable housing and certainly for the person that is trying to run the whole thing. Ms. Dolby agreed. The Chairman continued that the work is complicated with all the red tape around everything. Philippe Jordi, at Island Housing Trust has done a fantastic job with what he's done getting grants, state funds, federal funds and everything else he can get his hands on and that takes time and professionalism, it takes a lot of effort. Chairman Hess stated, it gets back to the point that the Committee, as volunteers put as much time into this as they can but the Committee is also trying to make this leap that the Committee has had to go through in the last four years or so when this issue has become very prominent, to get someone in a position to handle all of the things that the Committee cannot handle in the limited time they have. Ms. Dolby interjected that she doesn't disagree, that it's a 35-40 hour a week job and that she has a couple other suggestions. Ms. Dolby stated that she was not questioning what the job is, it should have its own office, there should be office hours where people can come in and out, it should be a 40 hour a week job no question about it but the way it is funded is very, very important and she doesn't want the Committee to get stuck not having the money to do it. The Chairman stated that he appreciated Ms. Dolby's input and experience in this matter. The administrator added that the Committee is on the agenda to meet with Finance Committee in January and the position has been presented to the Finance Committee by human resources already. The Committee is scheduled to go through that process and it will be voted on in April. The Chairman added that it is very clear that any town (our town) is under extreme financial pressure to look at every penny spent in a responsible way. Edgartown, takes a very good look at how money is spent, the Finance Committee is very thorough in what they do so it's a tight squeeze but whatever number is settled upon will be fair however that is not the point right now, the point is to further discuss it (amongst the Committee) and to have further discussions with Mr. Haggerty, the Selectboard and the Town (Departments) and get their feelings on how we should proceed with this. As the Chairman said earlier, it is the Committee's recommendation that the town takes a really good look at developing the position into a Town position and the Committee thinks it should be. Christine White asked where does this put the administrator with the housing bank if she received the position and what is her title with the housing bank right now. The Chairman replied that he did not believe the Committee should be speaking on personalities right now, the topic should be kept on the position. Christine White replied that she wanted to make sure Ms. Faria could do it and the Chairman replied that they are just referring to the position at the moment not the individual. Christina Brown added that it may come up that in this position, there may be a lot of outreach attached to it and would the Committee want to have the person in the position serve on various boards on the Committee's time. The Chairman replied that is a good question as it does encompass a job description which is what the Committee is looking for. If there were to be a housing director or something of that sort, it would be within their job description to attend the various meetings for whatever entities are relevant to the job. The administrator added that this was already in the job description that the Committee had agreed upon. The Chairman commented that he would compare it to David Vigneault going to the various AHCs on the island in order to represent the interests of DCRHA. Pam Dolby commented that it's a job that can't be done in a vacuum because it is an island wide problem so one really does need that information. The administrator agreed and reiterated the importance of someone in that type of

professional position being a part of the larger network. The Chairman thanked the administrator for all of the work she has done on the various projects and boards she's been involved with. Christina Brown asked Chairman Hess if the Committee plans to have a vote at the annual town meeting and if so should there be discussion about the process and going to the various boards and what that timeline looks like. The administrator agreed and pointed out that the Committee is already scheduled to go before FinCom sometime in January and should continue to take steps to bring this position to fruition.

The Chairman briefly informed the Committee about a conversation he had in regards to Meshacket and the extensive process the Committee went through to make it as easy as possible for the developers to develop the property. The administrator pointed out that the role of the Committee and administrator moving forward is to continue to support the developer along the way. The Chairman agreed that the Committee will be involved for some time.

Transition of counsel: The administrator informed the Committee that the Selectboard had received the letter from the Committee and had not responded therefore, there should be a discussion between the Chairman and the town administrator and then Ron Rappaport to have a plan for how it will all work out moving forward. The Chairman commented that to refresh everyone's memory, in dealing with specific affordable housing issues, while town counsel has been invaluable in advising the Committee in concluding certain matters that in referencing certain things the Committee proposed to the Town that AHC be able to direct particular legal questions and billing to a firm that is more suited to deal with affordable housing issues succinctly, affirmatively and efficiently, answer questions and solve problems in the future. The Chairman expressed that it is a billing and time matter and not a personal affair and the Chairman would like the administrator to follow up with the town administrator to see how they feel about it one way or the other. If the Town feels that the AHC should stay with town counsel, that is fine, that's the Town's decision and if they agree that the Committee should seek counsel that can give the Committee quick response times it may save the Town money in the long run. The administrator stated that she had previously had that conversation with Mr. Haggerty and that it's in the Committee's court in how they want to proceed as the Committee pays their own legal bills. However, the administrator recommends the Chairman have another conversation about how to proceed. After a brief discussion it was decided that the Chairman would speak to town counsel directly.

New Business: Pam Dolby questions and suggestions: Ms. Dolby commented that her questions on the status of Meshacket were answered. Ms. Dolby went on to say that although the Committee was not on board with the lots in Ocean Heights, which she thought was a fabulous idea as there are three very happy families living there, there are a lot of tax lots and the list is all done, no research needs to be done as the Selectboard have tax lawyers that take care of the legalities that go along with that process. Ms. Dolby expressed that she thinks it's great to have properties (deed riders in perpetual deed restriction) but she also thinks it's great to have people also own their property. Ms. Dolby put two kids through college and couldn't have done that with a perpetual deed restriction. Ms. Dolby suggested looking at the tax lots, especially as there are many that the Committee can take advantage of. Lastly, Ms. Dolby informed the Committee

that before she left the Town's employ she presented to the planning board a proposal to use small houses along Wilson's Landing on Meeting House, which is town owned land where there could be 10 lots with tiny homes on them. The land that the Town owns could be used for affordable housing. The Chairman replied that he would like to speak on the points Ms. Dolby made starting with the 6<sup>th</sup> Street lots (Ocean Heights). Chairman Hess explained that the Affordable Housing Committee had some back and forth about the 6<sup>th</sup> Street lots and in the end the Chairman is happy that three households received homes but the Committee was against only having deed restrictions for ten years. The Town came to realize the Committee's position and moving forward deed restrictions in perpetuity would be the sole practice of the Committee. The Committee understands that there has to be room for home ownership and permanent residency for qualified candidates. Chairman Hess also commented that he remembers the proposal for the tiny houses and he believes it's a great idea and products now are more energy efficient and eco-friendly. However, to that point, it brings him back to the fact that they are a Committee of seven and they are very interested and dedicated to what they do and are willing to give their time but they only have so much time to give as volunteers and they do it gratefully and graciously. However, with the limited time commitment the Committee has, all of these issues, tax lot, tiny houses, grants and state funding cannot be tackled in the amount of time the Committee has to meet and deliberate which is why they feel that a person needs to be put into a position in the Town of Edgartown that can manage these tasks on a full time basis and has the decision making process under the purview of the Committee and can make these decisions in conjunction with the Town, it must be a professional job. Ms. Dolby replied she completely agrees with the Chairman and Committee on this point and that the Town of Edgartown should be at the forefront of this. The Chairman commented that he is proud to live in this town (Edgartown) he's lived here for forty years and everyone that he knows has put so much into this Town, they care about the Town and they struggle to live here, the town government, people like Ms. Dolby and her father do everything they can to help keep the Town going. Ms. Dolby commented that Morgan Woods and Meshacket have gone before town meeting and the Town will pass anything to do with affordable housing because everyone sees the problem, so done the proper way, she thinks it will happen. Chairman Hess mentioned that not only does the Committee and administrator work on the larger projects but also everyday tasks to take care of the existing inventory of affordable properties as many issues arise and those have to be taken care of also. The administrator addressed previously mentioned topic of town tax taken lots and two lots had been acquired by the Committee and are next in line after the Chasin lot is complete. The administrator has looked at numerous tax taken lots that the Town owns and will continue to utilize this resource when the Committee is able to. Ms. Dolby thanked the Committee for putting her on the agenda and listening to her. Chairman Hess thanked Ms. Dolby for attending.

Jason Mazar-Kelly commented that he would like to speak to something Ms. Dolby mentioned in regards to the tax lots and providing an ownership opportunity to someone instead of a perpetuity contract. As the affordable housing need ranges in income level and demographics such as doctors who can afford a home in most places but not on the Vineyard, is there a way for people to have the same privileges the wealthy are afforded and build equity in their properties. Chairman Hess replied that it would be nice to be able to do that especially for islanders that grew up here however it is not lawful to pick and choose who gets what, it has to be an equitable

process and consistent to fair housing laws. The administrator added to Chairman Hess' comments saying that the idea behind perpetuity is to always keep a property affordable and to keep it in the affordable inventory. When one gets rid of perpetuity you get rid of the affordable inventory and even with the housing bank, the idea is to keep your affordable inventory. If someone has a ten-year deed restriction, after ten years it will go to market rate and that affordable inventory is gone. The idea behind perpetuity is to have a max resale amount that perpetually keeps it affordable, it doesn't mean that the owner cannot build equity but what it means is that the owner received an affordable price for the home and if they sell it, the next person will get an affordable home also. Now the proposed housing bank is trying to serve a higher AMI and it may be possible for those homes to not be perpetually deed restricted, those properties may receive a down payment to help with the initial costs of the home. When and if those properties are sold, the owners would need to repay the loan they received from the housing bank. The administrator stated that there are possibilities and processes in the works but the Committee needs to stay within state and federal guidelines and think forward to the future and beyond just the moment. The administrator added that if Aspen, CO had not put these types of guidelines in place thirty years ago, they would no longer have an affordable inventory and with a median home price of eleven million dollars, no one would be able to afford a home there. The administrator stated that it is the perspective of the Committee and the perspective of most affordable advocates across the island. Mr. Mazar-Kelly commented that he agrees with the model to keep affordability in place. The model is great for maintaining affordable home ownership but there is still a dichotomy of privilege for those that can continue to grow their wealth and their assets. The perpetuity aspect isn't bad it just leaves out aspects of equality in the overall structure of these programs to build wealth. The Chairman expressed appreciation of a young person's perspective on these issues and that is why Mr. Mazar-Kelly is here.

Correspondence: Demo Delays: Tim Rush made a motion to pass on 16 Silva Way and 23 Vickers Street, Christine White seconded and the motion passed unanimously.

The meeting was adjourned at 6:22 PM.

Respectfully submitted,

Arielle Faria