

Carlisle Housing Authority

Minutes, March 4, 2019, Nickles Room, Town Hall

**Members Present:** David Freedman, George Payne, Beverly Shorey

**Also Present:** Kate Reid, Selectman and Chair, Carlisle Affordable Housing Trust

David called the meeting to order at 3:00 pm.

Beverly moved approval of the minutes of the January 9th and January 10th meetings as drafted, George seconded, and the motion passed 3-0.

David updated members and received their support on his appointment by the Selectmen (BOS) as the Housing Authority (CHA) representative on the Community Preservation Committee (CPC), on which he has previously served as a member of the Planning Board.

David summarized the legal documents regarding the transfer of CHA's legal obligations to the Housing Trust (CAHT) that had been circulated in advance of the meeting via email. He reported on the positive meeting with Dafna Krouk-Gordon of TILL. He also reported that Phil Giffie of NOAH had decided not to meet and had asked for the Town to pay for his legal costs to review any documents. David noted that—as confirmed by Town Counsel—the lease is clear that all such expenses are to be borne by NOAH.

George asked what would happen if NOAH refused to sign the transfer documents. David said he wasn't sure, that he hoped NOAH would be cooperative as the lease terms were not changing at all, and that it made most sense to assume the best and that if issues arose, we'd seek the advice of Counsel. David noted that Counsel was preparing transmittal documents to TILL and NOAH that would outline our expectations as to when we expected their responses. Kate suggested that the transmittals might include language that if we hadn't heard by a certain date, that we would assume they were acceptable and would proceed with the transfer.

David asked for a motion approving the transfer of CHA's legal obligations through the legal documents substantively in their current form and authorizing him as chair to sign the documents on behalf of the CHA, as they may be amended — as long as the amendments are not substantive — through input from the CAHT, TILL or NOAH. Beverly so moved, George seconded, and the motion was approved 3-0.

Kate asked the members present to confirm that they had assented of their own volition to the dissolution of the CHA. All three members responded in the affirmative. David noted that he had asked the CAHT at their previous meeting to confirm that they agreed to accept the transfer of the obligations and that they had agreed. Kate confirmed this.

David reported that Town Counsel is trying to set up a meeting with DHCD to explain the rationale for the dissolution of the CHA, to counter some of the false allegations made by the previous members of the CHA in their resignation letter that they sent to DHCD, and ideally to have DHCD's assent to the dissolution pending Town Meeting approval thereof.

David said that he planned on reviewing the CHA files prior to the transfer to the CAHT, perhaps with the help of the Assistant to the Town Administrator, to see if tenant application information documents in the files could be disposed of, confirming the legality and advisability of same with Counsel.

David and George reviewed the February 28 Board of Health meeting at which the board heard complaints from a half dozen or so Benfield residents with regard to noise and vibration from the heat pump, inadequate heat in rooms and particularly the common room (where, reportedly to save money, the baseboard heater isn't being used), and air quality (particulate matter through the vents, problems with filters and possible problems with loose insulation). The Board of Health — with the Health Agent stating they have jurisdiction — is expected to follow up with a letter to NOAH requiring that the appropriate professionals (not affiliated with NOAH, Peabody Management or the manufacturers of the equipment)

investigate the causes of these problems, including the possibility that the heat pump is undersized for the space and demand. David will circulate the letter once it is received.

David noted a memo from the Planning Board (PB) providing the Housing Authority with the opportunity—per the terms of the ROSC Bylaw—to provide input with regard to affordable housing on the Woodward Village development. It was agreed that David will forward this memo to the CAHT to see if they wanted to provide input to the PB.

David reviewed three Town Meeting Warrant articles related to the dissolution of the CHA: a short article for the dissolution of the CHA, a revision to the General Bylaws to require a CPC member from the CAHT rather than the CHA, and an amendment to the ROSC bylaw to change the board receiving notification of any application under the bylaw from the CHA to the CAHT. The latter includes other proposed amendments to the ROSC bylaw unrelated to affordable housing; as a Zoning Bylaw it will require a Public Hearing before the Planning Board on March 25th, which David will attend.

David will provide all the legal documents to Kate Reid for the CAHT and Nathan Brown for the BOS for discussion at the next CAHT meeting on March 14. The goal is for the CAHT to approve the documents for distribution, ideally the following day, to TILL and NOAH. David suggested that it is up to the CAHT Chair whether she would like Counsel present at the meeting on the 14th. David, and perhaps George, will attend.

David circulated a draft letter to the *Mosquito*, suggesting it be jointly sent by the Chairs of the CHA, CAHT, and BOS, ideally prior to the Town Caucus. Its purpose is to explain the rationale for the dissolution of the CHA and that any nominations to the CHA at the Caucus would be moot if, as expected, the article to dissolve the CHA is approved at TM. David will circulate an electronic copy of the letter to Beverly and George so they can individually provide any comments. David asked for a motion to approve David's signing of a letter covering the matters described, with the understanding that the wording might change from the draft based on input from Beverly, George, the CAHT, and/or the BOS. Beverly so moved, George seconded, and the motion was approved 3-0.

### **Next meeting**

No additional meetings were scheduled. After the legal documents are sent to NOAH and TILL (and ideally received back), a meeting will be scheduled to approve and sign the final versions of the documents, to provide any updates on other matters, and to prepare for Town Meeting.

The meeting was adjourned at 3:30pm.

Respectfully submitted,  
David Freedman

### **Documents on file, discussed at the meeting**

- 1 - A Lease of the 338 Bedford Road Property from CAHT to TILL, with redlines showing all changes from the original CHA-TILL Lease (02/25/19).
- 2 - A Deed for the Benfield Property to transfer from the CHA to the CAHT (02/28/19).
- 3 - A Trustee's Certificate to be executed by the CAHT and recorded with the Deed (02/28/19).
- 4 - An Assignment of Interests in the Lease on the Benfield Property from CHA to CAHT (02/28/19).
- 5 - An Assent to Assignment of the Acknowledgement of Location and Confirmation of Easement Rights Agreement from the BOS to CHA (02/28/19).

Warrant articles:

- a. Dissolution of the CHA
- b. General Bylaw Amendment re: CPC (Section 3.26)
- c. Zoning Bylaw Amendment re: ROSC (Section 15.12)

Draft Letter to the Carlisle *Mosquito*  
Planning Board memo 2/21/19 to CHA re: ROSC