# The Town of Barnstable

**Affordable Housing Growth & Development**
**Trust Fund Board**
367 Main Street, Hyannis MA 02601
www.town.barnstable.ma.us

Office: 508-862-4610
Fax: 508-790-6226
Email: mark.ells@town.barnstable.ma.us

**Mark S. Ells, Chairman**


## Friday, March 7, 2025
## Affordable Housing Growth & Development Trust Fund
## Board Meeting Minutes
## 9:00 A.M.

Alternative public access to this meeting was provided by utilizing a Zoom link or telephone number, both provided in the posted meeting notice.

**Board Member Attendees:** Mark Ells, Chairman, Andy Clyburn, Mark Milne and Laura Shufelt.

**Other Attendees:** Jillian Douglass, Trust Administrator, Planning & Development; Corey Pacheco, Senior Planner, Planning & Development; Ellen Swiniarski, Community Preservation Coordinator, Planning & Development. Special Counsel, Attorney Robert Galvin, Jr.

**Call to Order**
With a quorum present, Chairman Ells called the meeting to order at 9 a.m. and stated that today's meeting will be recorded and rebroadcast via Xfinity Channel 8 or high-definition Channel 1072. It may also be accessed via the Video on Demand section on the Town of Barnstable's website. In accordance with MGL Chapter 30A, s. 20, the Chair will inquire whether anyone else is recording the meeting and, if so, please make your presence known. No one came forward.

**Member Introduction**
By roll call (present): Laura Shufelt (present), Andy Clyburn (present), Mark Milne (present) and Mark Ells (present).

**Public Comment**
None.

**Topics for Discussion**

1. **Continuation: Request from Standard Holdings for Approval of Transfer of Trust-Subsidized Property and Introduction of Proposed Purchasers** – Proposed sale of 850 Falmouth Road to John and Anthony Santoro of Rhode Island to be held by 850 Falmouth Road Associates, LLC (a MA corporation)- John and Anthony Santoro with Attorneys Bernard Kilroy and Steven DeLuca.

A request for withdrawal was received and accepted for this item.

2. **Planning and Reporting**
   a. **Vote on Draft 2024 End of Year Report to Community Preservation Committee**
   Jillian Douglass advised that the draft of this report has been revised to remove all references under the Affordable Homes Act revisions. The Affordable Housing Trust Fund balance sheet has been included and a review of the report at an upcoming Community Preservation Committee meeting is planned.
   **The motion of Laura Shufelt was seconded by Andy Clyburn to approve the 2024 End of Year Report to the Community Preservation Committee as submitted.**
   **Roll Call Vote: Laura Shufelt (yes), Mark Milne (yes), Andy Clyburn (yes), and Mark Ells (yes). Motion Carried.**

   b. **Discussion of minimum qualifications for Fair Housing Lottery Agents and ongoing compliance Monitoring Agents**
   Jillian Douglass referred to the list of monitoring agents' qualifications and duties from Mass Housing that was included in the meeting packet saying this document would be a good starting document that the Trust could add to. She noted there is also a draft monitoring report that includes information from the County Regional Housing Services Office pilot program that was also incorporated into the draft monitoring report.

   There was discussion regarding whether the County would have a template for monitoring reports and the likelihood that the Town will have an intermunicipal agreement with the County Regional Housing Services Office for monitoring. The draft monitoring agreement had been provided as a basic report that contains the minimum standards. It was noted that all the information the Trust is seeking to be included in the monitoring report is outlined in the grant agreement, regulatory agreement and the monitoring service agreement, however having a consistent template to follow would be helpful. Laura Shufelt noted that the actual practitioners that are procured by the Regional Housing Services Office may have their own template for monitoring that will contain all the required information.

   Andy Clyburn suggested that since the monitoring reports will reflect the grant agreements, the Trust should be addressing issues that need to be included in the grant agreement such as unit inspections. Provision of these requirements up front would allow this cost to be included in the proforma. He noted that if the Town signs a letter of support for the Regional Service Office, a request for unit inspections should be included. Laura Shufelt agreed that inspections are necessary for quality control, especially for renovation of units. Chair Ells noted that there will be further discussions with the Director of Planning regarding the County Regional Services. Attorney Galvin said he has read the list of qualifications and duties from Mass Housing and noted that there are no minimum levels of experience included, saying that very few people have enough experience to monitor affordable housing. He suggested setting some minimum levels of experience, however, making sure the County is not excluded if the

Town does enter an intermunicipal agreement for services. He agreed that annual inspection is the only way to know whether tenants are taking care of the units and following the conditions under which they qualified to become tenants. He said the draft monitoring report provided will be very adequate with the addition of minimum qualifications for monitoring agent experience and an annual inspection.

Laura Shufelt noted that the minimum requirements are built into the LIP guidelines and although there are a lot of people qualified, there are not many people who want to be monitoring agents as it is a lifetime commitment that does not pay well. She said that in her position with the State, she runs training for lottery and monitoring agents for certification, however she did note that Cape Cod is lacking in qualified agents.

c. **Draft format for Monitoring Service Agreements and annual Monitoring Reports (based on the sample provided as part of resources produced through the County's Pilot Study on Regional Housing Services)**
Laura Shufelt said that the draft is fine with the addition of the qualification for monitoring agents and inclusion of language regarding annual inspection.
**The motion of Andy Clyburn was seconded by Mark Milne to accept the additions to the draft outlined by Laura Shufelt pending the review and approval of Attorney Galvin. Roll Call Vote: Laura Shufelt (yes), Mark Milne (yes), Andy Clyburn (yes), and Mark Ells (yes). Motion Carried.**

3. **Matters Not Reasonably Anticipated by the Chair**

Chair Ells shared that he was at the State House and spoke with Senator Cyr who said he is going to be the Chair of the Housing Committee. He offered the Town any direct or indirect support that may be needed. All agreed Senator Cyr is someone who gets things done.

Laura said that there is a report prepared for the CDP regarding the realities of year-round deed restrictions that she called eye opening, however because it has not yet been made public. She noted it would be great for the report to be revised as Barnstable centric as it is interesting for staff and others to see.

4. **Approval of Minutes from the 12/6/24 and 2/7/25 Trust meetings**

**The Motion of Andy Clyburn was seconded by Laura Shufelt to approve the December 6, 2024, meeting minutes as submitted. Roll Call Vote: Laura Shufelt (yes), Mark Milne (yes), Andy Clyburn (yes), and Mark Ells (yes). Motion carried.**

**The Motion of Laura Shufelt was seconded by Mark Milne to approve the February 7, 2025, meeting minutes as submitted. Roll Call Vote: Laura Shufelt (yes), Mark Milne (yes), Andy Clyburn (abstained), and Mark Ells (yes). Motion carried.**

5. **Topics for Future Meetings/Agendas**
Attorney Galvin noted that the ability to meet remotely is currently intended to lapse at the end of March 2025. He shared that there is legislation pending to extend this

provision and is cautiously optimistic that will happen. He explained that if a remote meeting extension is not provided, the Trust Board may need to meet in person. He explained that the pre pandemic remote participation rules would still apply and those rules have been amended so a reason for remote participation is not required to be stated. He noted however, that a chairman and a quorum of members would need to be physically present at the live meeting for a member to participate remotely. Roll call votes would be required if a member participates remotely.

Laura Shufelt said that tightening up the grant agreements by requiring a cost certification or some mechanism so the Trust can confirm that Trust funds are not supplementing the developer's profit. She explained that the Trust needs to receive updated proformas at the construction loan phase before they have received any funding so the Trust could adjust the grant amount if they need to. Laura said that the cost certification is a requirement of most funding the Trust just needs to receive a copy of it. Attorney Galvin said he would draft an additional paragraph to insert into the grant agreements regarding cost certifications and will share with Laura ahead of the next Trust meeting.

Mark Milne mentioned that it is time to approach the CPC for additional funding as the funds are at a very low point after the Trust's commitment to Copacabana. He shared that he spoke with the CPC Chair who said the CPC has several large projects coming forward and CPC is looking to put together a long-term financing plan. He noted that the CPC is committed to providing more funding to the Trust. It was decided that the CPC Application would be brought to the Trust Board for a vote and forwarding to the CPC.

6. **Next Scheduled Meeting – Friday, April 4, 2025, at 9:00 am**

7. **ADJOURNMENT (Roll Call)**

   **The motion of Mark Milne was seconded by Laura Shufelt to adjourn the meeting. Roll Call Vote: Laura Shufelt (yes), Mark Milne (yes), Andy Clyburn (yes), and Mark Ells (yes). Motion carried.**

**List of documents/exhibits used by the Board at the meeting:**
Exhibit 1 – Affordable Housing Trust Fund Board Meeting Agenda for March 7, 2025.
Exhibit 2 – Standard Holdings documentation and Request for Withdrawal.
Exhibit 3 – Finalized Draft Report on the Affordable Housing Growth & Development Trust Fund Activities Relating to the Award of CPA funds for End of Calendar Year 2024
Exhibit 4 – Monitoring Agent Qualifications and Duties – Mass Housing
Exhibit 5 – Draft Monitoring Report
Exhibit 6- Draft Trust meeting minutes from 12/6/24, and 2/7/25.

Respectfully submitted,
Ellen M. Swiniarski
Community Preservation Coordinator
Planning & Development Department