

Community Preservation Committee (CPC) Meeting and Hearings
November 14, 2017
City of Waltham, Massachusetts
CPC Office, 119 School Street, Waltham, MA 02451

Recorder: William W. Durkee Jr., CPA Program Manager, Waltham
Community Preservation Committee (CPC)

A. Call to Order at 7:07 PM

Called to order by Chair Diana Young. WCAC (Waltham Community Access Channel) video recorded the Meeting.

B. Roll Call by Clerk Melnechuk.

Present: Chair Diana Young, Sean Wilson, Tom Creonte, Clerk Dan Melnechuk, Vice Chair Justin Barrett, Bob LeBlanc, Jerry Dufromont, two positions vacant. Program Manager: William Durkee - present. A quorum was declared present. The Chair noted that seventeen applicants to the CPC were received, and will be vetted for a likely presence of two new members at the CPC Meeting in February. Per the ordinance, there needs to be at least five in favor to pass any action.

C. Minutes - Clerk.

Minutes of the October 3, 2017 CPC Meeting. A Motion was made to accept the Minutes as presented. The Motion was seconded, and passed unanimously.

D. New Business

1. Applications and Hearings-Chair. None.
2. Allocation of State Matching Funds if received. Moved to later to hear from the proponents of the potential Leland Home community housing proposal (see G. 3 for the Special Meeting.)
3. Discussion of the Potential Leland Home proposal (Chair). A previous CPC application grant was noted for replacement of the roof. Tonight's questions will be helpful to allow the Leland home to address any CPC questions prior to a future application to CPC. Vice Chair Barrett recused himself as the Ethics Committee noted he could remain in the room but should not participate as a member of the CPC. Present for the Leland Home were:
 - Glenna Gelineau. Chair of the Board (did not speak)
 - Christine Battisti Keane. Manager of the Leland home.
 - Chris Cintros. Director of the New England Deaconess as representing the affiliated organization of the Leland Home during 2014.

Ms. Keane provided handouts (HUD 4/11/17 of the 2017 Adjusted Home Income Limits in the Waltham area, 1 page, attached), and a review of the

relevant History of the Leland Home and the CPC to 2017, 1 page, attached).

In addition to the original building, two wings were added in the 1950's as the Luce and Davis buildings. Financial arrangements were also changed at times to remain competitive but also to allow the elderly to live at Leland. In 2013 a CPC Application was granted for a new roof at \$27,000. In 2014, following the acquisition by New England Deaconess, recipients of two subsidized programs were admitted (Social Security (SSI) and EAEDC (Emergency Aid for the Elderly, Disabled and Children). The main requirement for both programs at Leland is to have reached age 65, then to have an income of \$3,000 or less. The SSI allows assets of \$2,000 or less and the EAEDC \$249.99. Monthly income from SSI and any pension would go toward monthly rent with residents receiving a monthly stipend of \$72.80. At Leland, the monthly rent includes room and board and three meals and snacks per day. Also included are medication management, a weekly cleaning of the room and laundry. Recreational activities and utilities except cable and television are included. The Leland notes that certain needy individuals are now excluded because their income is over \$3,000 or their asset exceed the limits of the subsidized programs. These individuals have to seek living quarters with higher rental limits where waiting lists are now up to three years for the State programs and five years for such federal programs. Currently there are 300 individuals on the Waltham Housing Authority (WHA) waiting list for the State program and 109 on the WHA federal list (43 are from Waltham). The total WHA units are 219 for the State programs and 265 for the federal.

The potential proposal is to try and find a way for CPA funds to be used to reduce the Waltham residents in the gap. The Mill has simply stopped adding to its waiting list which is 5 - 7 years. The proposal is to allow applicants who fall below the 60% Area-wide Medium Income (AMI) to be subsidized for several years. Leland would administer the program. The subsidy would be 100% devoted to the eligible applicants at or below 60% AMI. This would allow the applicants to be able to afford the monthly rent and preserving some of their assets if available. The subsidy payment would be made directly to Leland Home. This program would be offered to Waltham elderly residents. The percent of eligible Waltham residents will be 70% or more if allowed. The likely grant would be used at the Leland Home or any other rest home in the Waltham area.

From the Committee, the Chair noted that a discussion prior to the meeting considered the City holding a permanent restriction on the available rooms. Mr. Cintros noted that such a restriction was used in their 10 units of affordable housing of the newer 80 units at Deaconess Seashore, Provincetown. This proposal would affect five to seven units but would eventually pertain to whatever number is agreed. Restricted rooms would be permanently used for this program.

At this time, not-for profit homes are competing with the for-profit rooms. Over time, the not-for profits have been forced to change their private

pay system in exchange for the subsidized plans. For example, when the last CPA grant occurred, the occupancy rate was only 50%. By using the subsidized agencies, the results are better. His opinion is that eligible people are benefitting but those ineligible do not receive any housing benefit. If there is a way to afford to house the next higher ineligibles and remain viable, Deaconess would like to do that. The current designation of the Leland Home is as a "level four rest home" by its license and not a Nursing Home nor a for-profit facility. This is the original plan at Leland to house the elderly in affordable housing. Private pay units are expected to be untenable over time at Leland as the for-profits arrive in Waltham. The private pay plan has been untenable for over ten years.

The Chair noted that the City also has questions regarding the number of affordable units which can trigger unwanted Chapter 40B intense developments. By one calculation, the number is only 7.2% and 10% is the minimum. There is an existing City lawsuit which may decide if Waltham meets the alternate area test for affordable housing. Group homes may be includable to achieve the 10% but that has not been determined.

Some of the CPC noted the benefits of the Leland to Waltham residents historically and to the present. To the question whether there is any precedent to this type of plan using CPC funds in Massachusetts, none are known.

The CPC requested the costs and questions be provided before the next CPC meeting and then a formal proposal. The restriction option costs were requested.

Rental subsidy payments must be accountable and made to the correct body monthly or annually. Under a restriction, the payment is usually done up front. In effect, the CPC is buying the restriction which makes the units affordable. For example the payment should be the likely cost through the time of the restriction and taking into account what the occupant would pay over the same period. The present value of these would be the value of the restriction and would be the basis for a CPC grant. The restricted units would be permanently protected and not available to willing private payee.

One CPC Member would want the 100% Waltham residency requirement but that may not be possible under Fair Housing laws. It was noted that the Massachusetts Department of Housing and Community Housing (DHCD) limits the local preference to 70%, but because no DHCD funds were used, the rental voucher program could use a 100% preference as all the other Fair Housing Rules were met.

E. Old Business

1. Status of CPC Projects.

1a. Appropriated by City Council

- 1a1. The Waltham Sons of Italy project was approved by the City Council.
- 1a2. Arrigo Farm. This project is aid to be very close to a sale.
- 1a3. CRMII. An insurance problem was resolved.
- 1a4. 67 Crescent St. The Mayor is negotiating with the owner.

F. Announcements/Correspondence

1. Update on Council process to appoint new CPC members: The ad hoc Council committee met to review the 17 applications received. Only the Council can appoint these members according to the CPA.

G. Good of the Committee

1. Carry Forward Open Projects to the February 2018 CPC Meeting

1a. Four projects did not need to be carried forward: The Gilmore Playground, the CRMII, the WHC Stone Walls, and the WSOI (Sons of Italy) are either done or in process. The Chair asked for a Motion which was made to extend the projects listed as CPC Motion #1(motion and backup attached) until December 31, 2018: The motion was seconded and approved by unanimous vote of seven with none opposed. A second Motion was made to extend projects that have not yet been set up on the CPC's Auditors project report until December 31, 2018 (motion and backup attached) which was seconded and approved by unanimously by the vote of seven with none opposed.

2. The new Waltham website was put on line today. It appears to offer easier access to information. There may be new software which will allow more information to be presented in the CPC site.

3. Allocation of State Matching Funds when received (Chair). The CPC allocation of the state match must be voted by the CPC and the City Council prior to the setting of the City tax rate. The Match is expected to be received shortly, so a Public Notice and Agenda needs to be published and displayed at least 48 business hours in advance of a Special CPC Meeting to vote the on the allocation. In anticipation of receiving the funds in a few days, the Chair requested that a CPC Special Meeting be set immediately for Monday, November 20 at 1PM and this was approved. The Waltham CPA funds available for new projects are about \$21,721,000 with the expected State Matching Funds to add 15-18% or about \$400,000.

G. Adjourn. A Motion to adjourn was made, seconded and passed unanimously by voice vote without dissent.