



ORLEANS TOWN CLERK

AFFORDABLE HOUSING TRUST BOARD & SELECT BOARD

JOINT MEETING

Minutes

June 20, 2023.

The Affordable Housing Trust Board (AHTB) met jointly with the Select Board on Tuesday, June 20, 2023 at 4:30 PM in the Nauset Room at Town Hall and via Zoom. Real-time public access was provided by Orleans Channel 18 on the Town website.

Attending for the Select Board were Chair Herman, Vice Chair M. Mathison, Clerk Reed and Mr. Galligan. Attending for the Affordable Housing Trust Board were Chair McClennen, Vice Chair A. Mathison, Clerk Ghory, Mr. Cole, Ms. Wibby, Mr. Jurkowski, Mr. Brehm and Select Board liaison Mr. Herman.

4.30pm

Call to Order – The Chair of the AHTB called the meeting to order at 4.30pm. The Chair of the Select Board called the meeting of the Select Board to order at 4.32pm.

Public Comment – No one presented for Public Comment.

Joint meeting with the Select Board to discuss and act on items relating to the RFP for 66/76 Route 6A -

a. Discussion and vote to approve funds for Appraisal, Architect, and Financial Analysis consultants. Director of Planning & Development Mr. Meservey opened the discussion about the RFP process and suggested \$25,000 would be needed for consultants with expertise in architecture, financial analysis, and an appraiser.

Mr. Cole moved the AHTB make \$25,000 available for the hire of consultants for the RFP process for 66/76 Route 6A. Mr. Ghory seconded the motion. The vote was by roll call with Ms. Mathison, Mr. Ghory, Mr. Cole, Mr. Herman, Ms. Wibby, Mr. Jurkowski, Mr. McClennen, and Mr. Brehm voting Aye. Motion carried: 8-0-0.

b. RFP discussion and vote to publish in the Central Register. Mr. Herman shared that Select Board member Meff Runyon strongly endorsed a ground lease to retain Orleans-ownership of the land at 66-76 Route 6A. Discussion regarding a ground lease or fee simple conveyance of property was explored in detail. Some of the benefits and burdens of a ground lease were reviewed. Some of the opportunities for the town to remain involved with the property if it was conveyed by fee simple were also reviewed. The possibility of including affordable home ownership options on the site was noted as “an absolute” by Mr. Galligan. Concern was expressed about the expectations for a downtown site to be presentable and well maintained. Mr. Meservey reminded all present that the Land Disposition Agreement will set the terms for a more complicated lease and/or to incorporate enforceable features as the town deems necessary.

Mr. McClennen reviewed similar considerations regarding the lease or sale that had been made for 107 Main Street. He summarized the “procedural issue” that the developer’s would generally prefer a ground lease of at least 60 to 99 years in duration. He also discussed the “financial issues” which mean that an affordable housing

development is likely to involve many funders all of whom will seek to protect their "investment". The "nitty, gritty" of financing and management of the development will vary bid to bid. The RFP must allow for latitude for several solutions or suggestions.

Mr. Mathison moved to support the transfer of property at 66-76 Route 6A via *fee simple* described in the RFP and that the RFP include a sample of a Land Disposition Agreement (LDA). Mr. Herman seconded the motion. All on the Select Board voted Aye. Motion carried: 4-0-0.

Mr. Brehm moved to convey the property at 66-76 Route 6A via *fee simple*. Ms. Mathison seconded the motion. The vote was by roll call. Ms. Mathison, Mr. Ghory, Mr. Herman, Mr. Jurkowski, Mr. Cole, Ms. Wibby, Mr. Brehm and Mr. McClennen voted Aye. Motion carried: 8-0-0.

Other matters to be included in the RFP were discussed. It was generally agreed that a minimum of two mandatory briefings/tours would be included. The definitions of Affordable (80% AMI unless CPC funding is involved) and Attainable (up to 200% AMI) and Market Rate (varies with time) were clarified for the RFP. There was concern that the statement "primarily affordable housing" did not adequately convey that the town wants a preponderance of affordable housing. The likelihood of Lower Income Housing Credits being used to fund the development was reviewed and would require 60% of the units to be "affordable."

The meeting considered the "Aspired-to" standards described in the RFP. Some clarifications of the need for areas like balconies for fresh air and safe outdoor places for congregating were needed based on lessons learned from the pandemic. Noise attenuation features, air filtration, energy efficiency and stretch-code compliance were all noted for inclusion in this section of the RFP. A preference for "no fossil fuel" was stated, i.e., support for solar and electric energy.

c. Discuss and decide Selection Committee make up. There was discussion regarding the makeup of the Selection Committee which reviews RFPs. The Select Board members noted the Board had voted as landowners for two SB members on the committee with two AHTB members (co-owners) and representatives from the town (Planning and Community Housing expertise). There was a lengthy review of the level expertise to evaluate affordable housing and all its stages. Ms. Miteva explained the Procurement Officer's role in appointing the people for an RFP Selection Committee. Review of RFPs would be conducted in Executive Session to protect commercial sensitivity. There was some concern about the perception of impropriety if Select Board members were on the RFP Selection Committee and then voted, after a recommendation made by the Chief Procurement Officer/TA, for a certain project. No vote was taken but it was suggested there would be a recommendation made to the Procurement Officer for Mr. Herman and Mr. Galligan to represent the Select Board with two members of the AHTB and Mr. Meservey and Ms. Allgeier from the Town. Consultants with additional expertise would be consulted to assist evaluation of the RFPs.

6.25pm

Mr. Herman declared the Select Board meeting adjourned with a unanimous vote at 6.25pm.

Respectfully submitted, Jennifer Fountain