



## BOXBOROUGH AFFORDABLE HOUSING TRUST

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### Meeting Minutes

**August 15, 2024**

**2:00 PM**

**Virtual meeting via zoom**

Trustees Present: Les Fox, Chair, Al Murphy, Becky Neville, Kristin Hilberg. Ron Vogel joined at 2:08 PM.

Guests present: Wendy Trinks, Cindy Markowitz (by phone)

The meeting was held virtually with remote participation via Zoom pursuant to Chapter 2 of the Acts of 2023 and recorded.

Seeing a number of attendees visible on the Zoom video display, the Chair did a roll call of members to establish the presence of a quorum. Roll call and responses: Al Murphy – present, Becky Neville – present, Kristin Hilberg – present, Les Fox – present.

Noting a quorum present, Chair Fox called the meeting to order at 2:04 PM.

The minutes of the BAHT meeting of March 7, 2024, had been previously distributed by the Chair. Chair Fox asked for a motion to approve the minutes. Neville moved that the minutes be approved. Seconded by Murphy.

The motion was approved on roll call vote: Murphy – yea, Neville – yea, Fox – yea, Kristin Hilberg – abstain. Vogel not yet present.

Trustee Ron Vogel joined the meeting at 2:08 PM.

### **OML complaint 2024-159**

The chair reported that the Town Administrator had received a letter from Atty Matthew Lindberg, Assistant Attorney General, Division of Open Government, regarding the disposition of OML Complaint 2024-159. The complaint was addressed to several individuals that the AGO termed “the MOU Group.” The individuals attended a meeting on 3/21/2024 organized by the Town Administrator to advise him on a consensus fair price for disposition of the 72 Stow Road parcel, should the Select Board decide to bring an article to town meeting to purchase. In accordance with the terms of the 2011 MOU which was signed at that time by the Select Board, Housing Board, and Housing Trust, representatives of these committees are to reach a consensus on a fair price for sale or other disposition of the Stow Road parcel should it not be used by the Housing Board for affordable housing. The MOU group consisted of Les Fox, Chair of the BAHT and Becky Neville, member; Al Murphy, Chair of the Housing Board and Ron Vogel,

member; and Kristin Hilberg, Chair of the Select Board, Priya Sundaram, Select Board Clerk. Chair Fox had previously distributed the AAG's letter to members of the BAHT. The AAG has directed that, within 60 days of receipt of his letter, the MOU Group create and approve minutes of the 3/21/2024 meeting and make them available to the public. Chair Fox informed the BAHT that that Town Administrator will draft minutes of the 3/21/2024 meeting of the "MOU Group" and set a time for review and approval. Becky noted that the Select Board may need to accept those minutes.

### **Update on BAHT financials**

Chair Fox reviewed the status of the Trust fund current balance as could best be determined from the Town Accountant's "Open Check Book" feature. He noted that the Trustees have for some time had difficulty obtaining financial status of the trust due to turnover in the accountant's office, and showed a high-level summary of the Open Checkbook reports as follows.

#### **Summary of BAHT fund balances from Town Accountant Open Checkbook**

Date	Begin balance	Debit	Credit	End Balance
Aug 2023	402,362	1,736	0	400,626
Sept 2023	400,626	2,111	0	398,514
Oct 2023	398,514	0	0	398,514
Nov 2023	398,514	30	0	398,484
Dec 2023	398,484	0	12,349	410,834
Jan 2024	410,834	0	0	410,834
Feb 2024	No report			
Mar 2024	404,996	1,000	4,949	408,946
Apr 2024	408,946	0	0	408,946
May 2024	408,946	0	0	408,946
No further reports				
<b>Average monthly balance Sept 2023 – May 2024</b>				<b>\$ 404,502</b>

Fox noted that, absent more precise accounting, it would be reasonable for the Trustees to assume a current trust balance of \$ 404,502.

### **Allocation for Boxborough Housing Board**

Fox noted that over the past five years or so, the Housing Board requested several allocations of funds from the Trust corpus. Due to uncertain and irregular reporting on Trust fund balances, it is

not known whether there are any outstanding invoices for past expenditures authorized by the Housing Board against these allocations. However, any such are believed to be minor. In order to simplify financial tracking going forward, Fox proposed that all previous allocations be rescinded, provided that any outstanding legitimate invoices will be honored and paid from a new allocation of \$30,000 to be used for approved Housing Board programs and miscellaneous administrative expenses. Such BHB activities would include administration of BRAP, BEAP, training on provisions of deed riders for Boxborough Meadows, Summerfields, Condo Exchange units, carrying out sale and resale of units, legal expenses, maintenance costs of Stow Road property, etc. From time to time, as needed, the Trustees may make further such general allocations to the Housing Board. Any large, unique future projects would be addressed with separate specific allocations. Accordingly, Chair Fox:

**MOVED** that all BAHT allocations made prior to June 30, 2024 are rescinded but that legitimate outstanding invoices will be honored for re-imbursement.

**SECONDED** by Becky Neville. Roll-call vote: Neville – yea, Murphy – yea, Hilberg – yea, Vogel – yea, Fox – yea. Motion carried.

Further, Chair Fox:

**MOVED** to allocate the sum of **\$30,000** from the BAHT trust fund for general program administration, legal expenses, training and conference expenses, maintenance of the Stow Road property, costs related to sale and resale of deed-restricted units, and similar expenses of the Housing Board.

- a) Provided that the Town Accountant be requested to establish an expense tracking system acceptable to the Housing Board, where each invoice can be assigned to a specific expense category or project, as may be determined by the Chair or Clerk of the Housing Board; and,
- b) Provided that each invoice be signed, approved, and assigned to an expense or project category by the Chair or Clerk of the Housing Board.

**SECONDED:** Becky Neville

**VOTE:** Neville, Murphy, Hilberg, Vogel, Fox – yea; 0 nay; 0 abstain. Motion approved.

### **Allocation for Housing Board Boxborough Meadows roofing project**

Chair Fox took up the request of the Housing Board for an allocation of \$223,000 to replace twelve roofs on affordable units in Boxborough Meadows, as described in the Housing Board's HOPE program. The Housing Board has been working hard to create the HOPE program. The sum of \$223,000 represents the lowest bid received pursuant to an RFP prepared for the roofing project, which is subject to Prevailing Wage procurement. The chair noted that approval of both the \$30,000 and \$223,000 requests would take the trust fund balance below the level needed to intervene in an emergency or "rescue" sale of an affordable unit, unless additional funds were

provided through sale or transfer of the Stow Road property, or a supplemental appropriation being made from town meeting. With that background Chair Fox:

**MOVED** that the sum of **\$223,000** be allocated to the replacement of twelve roofs on deed-restricted affordable units in Boxborough Meadows, as requested and described in the accompanying HOPE pilot program of the Housing Board.

- a) Provided that roofing permits are issued by the Boxborough Building Commissioner for each unit; and,
- b) Provided that the Clerk of the Housing Board authorize payment of invoices only upon completion of each unit and receipt of a satisfactory sign-off by the Boxborough Building Commissioner.

**SECONDED:** Becky Neville

**VOTE:** **Neville, Murphy, Hilberg, Vogel, Fox – yea; 0 nay; 0 abstain. Motion approved.**

The Trustees discussed setting the next meeting date. We agreed that we should try to have recurring meetings about once a quarter just before a Housing Board meeting. If urgent business arises additional meetings could be set.

### **Adjournment**

There being no other business, the chair asked for a motion to adjourn.

**Ron Vogel** moved to adjourn. **Seconded** by Becky Neville.

**VOTE:** **Neville, Murphy, Hilberg, Vogel, Fox – yea; 0 nay; 0 abstain. Motion approved.**

Meeting adjourned at 3:07 PM.