

SPECIAL TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 27, 2008

PRESENT: Marshall, Cordeiro, Parella (arrived at 7:30 o'clock PM), and Barboza

ABSENT: Herreshoff

ALSO PRESENT FOR THE AFFORDABLE HOUSING DISCUSSION:

Diane M. Williamson, Director of Community Development
Kathleen Bazinet, Chairman, Affordable Housing Committee
James W. Farley, Chairman, Planning Board
Sally Parella Battison, Affordable Housing Committee
Armand Bilotti, Planning Board
Michelle Cabana, Affordable Housing Committee
Domenic C. Canna, Affordable Housing Committee
Anthony Murgo, Planning Board
Augustine J. Nunes, Affordable Housing Committee
Candace Pansa, Affordable Housing Committee
Betty Pleacher, Affordable Housing Committee
Michael Rossi, Planning Board

The Council met in special session on Saturday morning, February 27, 2008 in the Town Hall Council Chambers beginning at 7:00 o'clock PM, Council Chairman Marshall presiding:

Matters Discussed:

Affordable Housing Subsidies

Interviews

In the matter of the Affordable Housing Subsidies:

Documents Received:

- Kathy Bazinet, Chairman, Affordable Housing Committee re Proposed Subsidies for Affordable Housing, February 25, 2008 (revised)
- Kathy Bazinet, Chairman, Affordable Housing Committee re Recommendation on Proposed Inclusionary Zoning Ordinance, February 25, 2008
- 2007 HUD HOME Program Rent Limit Effective April 28, 2007
- NOP Utility Allowances for Rhode Island Effective October 2007

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- 2007 Rhode Island Income Limits for Low- and Moderate-Income Households

The Clerk noted for the record that he was in receipt of a message from Zoning Board Chairman Charles Alexandre that Mr. Alexandre could not attend this evening's meeting due to a schedule conflict.

Speaking on behalf of her committee, Ms. Bazinet explained the points as outlined in the memo provided. She also emphasized the need for the Council to "formalize" through ordinance a Zoning Board policy allowing the owners of Accessory Dwelling Units ("in-law" apartments) to convert these to "affordable units" rather than dismantling same when no longer needed by family members. She explained that in the absence of an ordinance these functioning affordable units do not qualify under the State regulations.

Michelle Cabana, a member of the Affordable Housing Committee, presented charts relative to HUD guidelines, etc., as outlined above.

Council Chairman Marshall asked if Bristol will be first in its formalizing process for the establishment of affordable housing subsidies with Ms. Bazinet explaining that to the best of her knowledge other communities have established policies but Bristol will be the first to enact an ordinance concerning same were the Council to adopt the Committee's recommendation (for an ordinance).

A discussion ensued concerning the proposal and a description of acceptable subsidies with Ms. Bazinet explaining that the criterion for subsidies is "an ever changing animal."

Council Chairman Marshall asked if this information is shared among the various Rhode Island communities with Ms. Bazinet responding that the Governor's Housing office is doing this and that she is a member of the Commission that is making policy that will eventually become legislation.

Council Chairman Marshall suggested that this matter might also be referred to the public policy "seed bank" at Roger Williams University.

Director of Community Development Williamson also commented that the Rhode Island Housing office prefers to have an ordinance versus a policy concerning subsidies.

Council Chairman Marshall asked if previous subsidies granted through Town policy would still "count" toward the Town's affordable housing goal with Ms. Bazinet responding affirmatively. She added that the establishment of an ordinance will "strengthen" those previously granted subsidies.

She provided a specific example as this matter would relate to the Catherine Place housing project completed by East Bay Community Development Corporation.

Councilman Barboza asked if property owners could "get out" of the establishment of an affordable unit once this occurs with Ms. Bazinet responding that these typically have thirty (30) year deed restrictions and that some agencies may eventually require longer deed restrictions.

Councilman Barboza also asked if there were deed restrictions on those former Accessory Dwellings that are converted to "affordable" with Ms. Bazinet responding that these typically have deed restrictions for thirty years, also.

Councilman Barboza asked what might occur when the properties are sold with Ms. Bazinet explaining that only the "affordable" portion of the property is impacted; the remainder remains unaffected.

A discussion ensued regarding item "C" on the subsidy memorandum with Council Chairman Marshall asking if the establishment of this as a part of the ordinance will seriously impact the tax rate with Ms. Bazinet responding that in the case of non-profit organizations this remains a positive since the organization may qualify as totally tax exempt otherwise. She further noted that this provision covers only those properties that are 100% rented and non-owner occupied.

Ms. Bazinet also noted that the ordinance may address Town fees as outlined in memorandum item "E." She stated that the Committee's recommendation was that the Council consider fees lower than the "maximum" allowed; noting that the Town's expense for residential buildings is typically less than the expense for commercial ones.

Councilwoman Parella arrived at this point in the meeting.

A discussion ensued regarding the 8% maximum property tax provision. Councilwoman Parella asked if a determination has

been made as to what the annual cost or loss of tax revenue might be attributable to this provision with Ms. Bazinet responding that this cost will depend upon the types of units, etc.

Councilwoman Parella stated that it would be beneficial for the Council if its honorable body were given a "range" of cost and/or lost tax revenue based upon the implementation of this 8% minimum property tax based upon rentals.

Ms. Bazinet suggested that this matter might be referred to the Tax Assessor. She further noted that the two "Elder Care" facilities pay full tax assessment and not 8% of rental income.

A further discussion ensued concerning Accessory Dwelling units with Councilman Cordeiro noting for the record that he objected strongly to illegal apartments.

Director of Community Development Williamson stated that the Town is working diligently to "get rid of" illegal apartments.

Councilman Marshall asked if the proposed subsidies included a reduction in the sewer use fee with Director of Community Development Williamson responding that the Town has waived the Infiltration and Inflow (I & I) fees for new affordable developments in the past.

Ms. Bazinet stated that the sewer use fee would remain the same and not be subsidized per the Committee's recommendation.

Ms. Bazinet also stated that there might be some provisions in the future to allow for a density bonus for non-affordable developments were the developers willing to pay into an affordable housing trust fund in lieu of developing affordable residential units.

She further stated that this trust might provide funds to remodel housing within the low-moderate residential area and that these would be "revolving" funds.

Concerning the 8% of rent maximum tax, Anthony Murgio, a member of the Planning Board asked if the Town would derive a payment of 8% of the potential for rent or the actual rents received with Ms. Bazinet explaining that the payment would be based upon 8% of the rents received; thus if an apartment is empty with no rents received the owner pays no tax.

A discussion ensued concerning separate utilities for Accessory Dwelling Units with Ms. Bazinet responding that she would recommend that separate utilities should be installed.

Mr. Murgio noted that Zoning Board policy typically requires that the utilities not be separate so as to prevent these Accessory Units from becoming illegal apartments. Director of Community Development Williamson stated that this matter should be addressed through the Zoning Ordinance.

Council Chairman Marshall thanked the Committee for its work on this matter.

Barboza/Cordeiro - Voted unanimously to refer this matter to the Town Solicitor so that he may review the documents provided and recommend further action.

In the matter of the interviews:

Edward J. Quinn, 5 Poppasquash Road - Recreation Board

Mr. Quinn informed the Council that he is new to Town having moved here two and one half years ago from Fairfield, CT. but that he was originally from Pawtucket (Quinnville - no relation) Mr. Quinn was a school teacher and served on the Recreation Board for approximately 20 years. He specifically noted the Fairfield children's soccer program that serves 2,200.

Mr. Quinn noted that he was now retired and has time to devote to volunteer services and would like to utilize his recreation experience in Bristol.

Mr. Quinn also noted that Fairfield recently redeveloped its Army center into a recreation center similarly to the Recreation Department's plan for the Quinta-Gamelin center on Asylum Road.

A discussion ensued regarding the Recreation Department reporting hierarchy with Mr. Quinn reporting that the Fairfield Director and Board of Recreation work very well together as a "team" but that the Director reported to the Board.

Richard O'Connell, 51 Collins Street - Recreation Board

Mr. O'Connell informed the Council that he was involved with the Recreation Department for many years as a volunteer particularly

when his children were younger. He noted service with the soccer leagues and as an official at the Community Center. He also noted that his wife was a former member of the Recreation Board.

Mr. O'Connell stated that he was a twenty (20) year employee of the Bristol County Water Authority and had time to devote to the Recreation Board if chosen to serve. He is also a volunteer fireman.

Responding to questions posed by Councilwoman Parella, Mr. O'Connell stated that some of the important issues facing the board at present are the conversion of the Army Reserve center and the installation of the rest room facilities at Independence Park. Mr. O'Connell stated that the park restrooms were an excellent idea.

Mr. O'Connell also stated that a major challenge of the Board is the maintenance of its many facilities.

Ronald Schroeder, 116 Wood Street - Conservation Commission

Mr. Schroeder stated that he was a former member of the Conservation Commission in North Kingstown and that he believed that the Bristol Conservation Commission was organized similarly. He also explained that he worked on the Comprehensive Plan in North Kingstown.

Mr. Schroeder stated that he might be able to bring certain expertise to the position based upon his experience as an environmental engineer.

Councilman Cordeiro stated that the Conservation Commission was a dedicated group and he was of the opinion that Mr. Schroeder would enjoy working along with them.

Councilman Barboza stated that he was impressed by Mr. Schroeder's resume.

Councilwoman Parella suggested that future interview evening schedules might be "tightened-up" to five minute intervals so as to prevent gaps when interviewees do not appear on time.

There being no further business, upon a motion by Councilman Barboza, seconded by Councilwoman Parella and unanimously voted

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the Chairman declared this meeting to be adjourned at 8:45 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk