

TOWN OF CORNWALL

NOTICE

SPECIAL MEETING OF THE CORNWALL HOUSING PLAN IMPLEMENTATION COMMITTEE

Monday, May 23, 2022
4:00 p.m. – Remotely Via Zoom

AGENDA

1. Welcome
2. Review Housing Plan
3. Review Information on Community Housing Trusts from Jocelyn Ayer
(See Attached)
4. Next Steps
5. Public Comment

*****This meeting will be conducted remotely.**

Zoom Link:

<https://us06web.zoom.us/j/89603142264?pwd=WjZEZnRPWFdJQ0JMV3FxZlJxSDNiUT09>

Passcode: 837615

Meeting ID: 896 0314 2264

(or use one of the dial-in phone numbers)

Dial-in #'s +1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

Find your local number: <https://us06web.zoom.us/u/kIIZ5Odw>

Members of the public will be muted until Public Comment.



Housing Trust Funds

What do you want a Cornwall "Housing Trust Fund" to do? Options include:

- Provide **down-payment assistance*** for income eligible first-time homebuyers (in the form of a loan or a grant)
- Provide a loan or grant for income eligible households, including seniors to make **accessibility modifications or repairs*** to keep them in their homes
- Provide seed funding to non-profit housing organizations in Cornwall such as the Cornwall Housing Corp. to identify new projects and assess their feasibility
- Provide **rehabilitation*** funding to preserve Cornwall's existing affordable housing
- Provide funding to create an **accessory apartment** (homeowner or renter need to be income eligible?)
- Provide funding support for the **construction or renovation of new attainable/affordable homes**
- Provide **acquisition** funding to allow eligible non-profit organizations or the town to purchase property that could be used for attainable/affordable homes
- Other?

*For these three uses there are some existing programs such as:

- [CHFA](#) (CT Housing Finance Authority), [HDF](#) (Housing Development Fund) and [FHLB](#) (Federal Home Loan Bank of Boston) provide down-payment assistance for income eligible first-time homebuyers and free first-time homebuyer education classes. (Washington, CT's Housing Commission partners with HDF on it's down-payment assistance program)
- Many towns have Small Cities/CDBG funded Housing Rehabilitation programs for income eligible homeowners to make repairs or accessibility modifications that would keep them safely and affordably in their homes. This is a 0% interest loan that does not need to be repaid until the home is sold or transferred to a new owner. Once it is repaid the town can re-lend the funds to another income eligible homeowner. Neighboring towns that have/have had this program include Salisbury, Litchfield, Morris, Roxbury, Torrington.

How can "Housing Trust Funds" be funded? This depends on your answer to the question above but some of the options generally are:

- Private donations from residents
- Establishing a new building permit fee or inclusionary zoning fee
- Utilizing a portion of the conveyance fee that the town already collects

- Establishing a line item in the town budget

What are some examples from other towns that we can look at?

- **Salisbury, CT**- Ordinance 112 "Establishment of an Affordable Housing Fund"
 - Ordinance 112 was passed in 2010 (*attached*)
 - Guidelines for use of fund:
https://secureservercdn.net/72.167.230.230/j8s.008.myftpupload.com/wp-content/uploads/2021/02/2.20.19guidelines_Salisbury_Affordable_Housing_Fund.pdf
 - Salisbury Affordable Housing Commission helps to administer this fund
 - The town allocates funding to its Affordable Housing Fund each year during the annual budgeting process. Typically, it budgets \$25,000 annually to support the town's Housing Commission (this pays for part time staff) and \$10,000 annually for the town's Affordable Housing Fund. As of February 2022, the Fund's balance was \$136,000.
- **Washington, CT**
 - Washington established a Housing Commission in 2005; one of their duties is to make recommendations to the Board of Selectmen for expenditures from the Affordable Housing Fund. You can find the ordinance here: <https://www.washingtonct.org/housing-commission/pages/ordinance-to-establish-a-housing-commission>
 - Here is information on their down payment assistance program funded through their Affordable Housing Fund:
https://www.washingtonct.org/sites/g/files/vyhlif1396/f/uploads/dpa_flier_for_web-site_2.pdf
 - The town allocates funding to its Affordable Housing Fund each year during the annual budgeting process. The town's Housing Commission requests this annual allocation. Last year the town allocated \$25,000 to this Fund. As of February 2022 the town had \$210,000 in the Fund.
- **Goshen, CT**
 - Land acquisition fund was passed in 2006 (*attached*)
 - This can be used to acquire land for open space, recreation, or housing.
 - Note: this can only be used for the town to acquire land for these purposes. It has been suggested that this ordinance be amended to allow local non-profits including the Goshen Housing Trust and the Goshen Land Trust to request funding from this fund for those entities to acquire land rather than the town and that the Board of Selectmen be able to approve funding requests under a certain threshold.

- **Greenwich, CT**

Note: Cornwall has very little in common with Greenwich and this is a very complicated Housing Trust Fund intended to help them deal with 8-30g projects which is not an issue in Cornwall but nevertheless in case it is helpful and/or just interesting:

- Website explaining some details about their Trust fund- again you'll see a lot of reference to 8-30g. Small towns like Cornwall do not get the kinds of 8-30g project they are describing in Greenwich
 - <https://www.greenwichct.gov/1878/Greenwich-Affordable-Housing-Trust-Fund>
- DRAFT ordinance establishing the Trust Fund:
 - <https://www.greenwichct.gov/DocumentCenter/View/24451/September-2021-call>

- **Fairfield, CT**

In 2018, Fairfield created a Housing Trust Fund and the Town Plan and Zoning Commission enacted an inclusionary zoning fee as part of any zoning permit. The Fund also provides a place to deposit additional moneys from grants and other sources to help support the creation and maintenance of affordable housing units. <https://ecode360.com/33259123>

Questions about this?

Jocelyn Ayer, Director
Litchfield County Center for Housing Opportunity
jocelyn@thehousingcollective.org

The Board of Selectmen shall appoint a Chair and Vice Chair from the Commission's members to serve until December 31, 2011, after which the members shall elect a Chair and Vice Chair, who shall serve for a term of one year and shall be eligible for immediate reelection. The Commission may organize itself in such manner as its members may determine is best suited to carry out the Commission's duties.

5. Effective Date.

This Ordinance shall become effective on December 13, 2010.

NO. 112 ESTABLISHMENT OF AFFORDABLE HOUSING FUND
Special Town Meeting November 9, 2010
Effective Date: December 13, 2010

ORDINANCE FOR THE ESTABLISHMENT OF AN AFFORDABLE HOUSING FUND

BE IT ORDAINED by the legal voters of the Town of Salisbury in meeting duly warned, noticed and assembled:

1. Purpose.

The Town of Salisbury does hereby establish a special fund to accumulate funds (A) for the acquisition or retention of land for the provision of housing for the Town's low- and moderate-income persons and families (hereinafter referred to as "Affordable Housing") and (B) to provide for the financing, construction, rehabilitation, repair, improvement or subsidization of such Affordable Housing. The fund shall be known as the Salisbury Affordable Housing Fund (hereinafter the "Fund"). The Fund shall not lapse at the end of the municipal fiscal year but, notwithstanding that from time to time it may be unfunded, shall continue in perpetuity unless or until terminated by the Town.

2. Sources of Funding, Investments, and Limitations on Use of Fund.

- A. In addition to such sums as may be appropriated by the Town for deposit into the Fund, the Town is hereby authorized to and shall deposit into the Fund all monies received by it for the provision of Affordable Housing, from whatever source, including fees, monetary gifts, grants and loans, unless otherwise restricted.
- B. The Fund shall be in the custody of the Town Treasurer. All or any part of the monies in the Fund may be invested in any securities in which public funds may be lawfully invested. All income derived from such investment shall be placed into the Fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal for use as hereinafter set forth.
- C. No sums contained in the Fund, including interest and dividends earned, shall be transferred to any other account within the Town budget. No expenditures shall

be made from the Fund except in accordance with the provisions of this Ordinance.

Notwithstanding anything to the contrary set forth herein, the amount deposited in the Fund in any calendar year shall not exceed the maximum amount permitted by law.

3. Expenditures from Fund

Expenditures from the Fund shall be made only in accordance with the following procedures and requirements:

- A. Expenditures shall be made exclusively for the fees and other costs associated with (i) the financing, construction, rehabilitation, repair, improvement or subsidization of Affordable Housing or (ii) the investigation, feasibility study, appraisal, acquisition, administration, and maintenance of: (1) parcels of land, whether improved or unimproved, to be used or potentially used for the provision of Affordable Housing and (2) development rights, easements, deed restrictions, options, interests or other such rights in or appurtenant to such parcels of land, the use of which such rights shall be limited to retention or designation of such parcels for their long-term use in providing Affordable Housing;
- B. Recommendations for any expenditure from the Fund shall first be submitted to the Salisbury Affordable Housing Commission ("SAHC"). If the SAHC recommends such expenditure, the SAHC shall submit the recommendation, including the sum to be expended, to the Salisbury Board of Selectmen for its approval;
- C. The Board of Selectmen shall have the authority to approve any expenditure of up to twenty thousand dollars (\$20,000.00) without approval or further action by the Board of Finance or the Town Meeting; and
- D. Any expenditure of funds in excess of twenty thousand dollars (\$20,000.00) shall require the approval of the Board of Selectmen, the Board of Finance, and the Town Meeting. If approved by the Board of Selectmen and the Board of Finance, the Board of Selectmen shall present such recommendation for a vote at a duly warned and noticed Town Meeting.

4. Authorizations.

- A. Subject to the provisions of Sections 1, 2 & 3 of this Ordinance, including the limitations on expenditures in excess of twenty thousand dollars (\$20,000) set forth in Section 3.D, the Board of Selectmen is hereby authorized to acquire, in the name of the Town, parcels of land, development rights, easements, deed restrictions, options, interests or other such rights in or appurtenant to such parcels, for the provision of Affordable Housing.
- B. If the Town Meeting approves an appropriation of funds for a specific acquisition, such approval shall be deemed to constitute the approval by the

Town Meeting of the acquisition itself, provided no other compensation in addition to the amount of the appropriation will be required.

- C. Nothing in this Ordinance is intended to supersede the requirements of Section 8-24 of the Connecticut General Statutes.

5. Effective Date. This Ordinance shall become effective on December 13, 2010

NO. 113 RECREATION COMMISSION – AMENDMENT TO MEETING ORDINANCE
July 21, 2011 – Voted at Special Town Meeting

AMENDS MEETING SCHEDULE

The legal voters of the Town of Salisbury voted to amend the first sentence of Section VI of Ordinance No. 12, as amended by Ordinance No. 48, to read as follows:

The Recreation Commission shall meet regularly.

NO. 114 SELECTMEN – ELECTION OF FIRST SELECTMAN
March 26, 2013 – Voted at Special Town Meeting
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ORDAINED: “At any time as the Town of Salisbury shall elect its first selectman, the votes cast, including any valid write-in votes, for an unsuccessful candidate for first selectman shall NOT be counted as votes for him or her as a member of such board.”

NO. 115 SELECTMEN – ELECTION OF SELECTMEN
March 26, 2013 – Voted at Special Town Meeting
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ORDAINED: “Electors of the Town of Salisbury may vote for two candidates for the office of selectman, as well as for one candidate for the separate office of first selectman. Minority representation rules of Section 9-167a of the Connecticut General Statutes, as amended, shall still apply to determine those elected to the Board of Selectmen, so that no more than two members of the same political party may be elected members of the Board of Selectmen at any time as provided in said statute.”

No. 116 CODE OF ETHICS
April 23, 2013 – Special Town Meeting, Continued to Referendum and
Voted on May 3, 2013

**TOWN OF SALISBURY, CONNECTICUT
CODE OF ETHICS**

I. STATEMENT OF PURPOSE

Public office is a public trust. The trust of the public is essential for government to function effectively. Public officials and public employees are expected to act on behalf of the Town of Salisbury as a whole rather than on behalf of their own private interests.

Town of Goshen, Connecticut
42 North Street , Goshen, CT 06756-0187
Phone: (860) 491-2308

Title 67 - Land Acquisition

TITLE 67

ORDINANCE CREATING THE GOSHEN

LAND ACQUISITION FUND

BE IT ORDAINED by the legal voters of the Town of Goshen in meeting assembled:

Section 1: Purpose:

Pursuant to the provisions of Connecticut General Statutes §7-148 (c)(2)(K) and 7-131r, the Town of Goshen does hereby establish the Land Acquisition Fund for the purpose of accumulating funds for the acquisition of land to be used for open space, recreation or housing. This fund shall not lapse at the close of the municipal fiscal year.

Section 2: Sources of Funding, Investments, and Limitation on Fund Use:

- a) Commencing with the fiscal year ending June 30, 2006, at the end of each fiscal year, a portion of the funds remitted to the town pursuant to Connecticut General Statutes §12-494 in an amount equal to 0.14% of the consideration paid for the grant, assignment, transfer or other conveyance of any lands, tenements or other realty by deed recorded in the Goshen Town Clerk's Office shall be deposited into the Land Acquisition Fund.
- b) The Town is authorized to and shall deposit into the Land Acquisition Fund all monies received by it from whatever source as monetary gifts, grants, bequests, loans or otherwise, for acquisition of land to be used for open space, recreation or housing.
- c) Fees to the municipality collected in lieu of any requirement to provide open space pursuant to Connecticut General Statutes Sections 8-25 and 8-25b as authorized by the Goshen Planning and Zoning Commission pursuant to its Zoning and/or Subdivision Regulations shall be deposited into said Land Acquisition Fund.
- d) All penalties paid for Public Act 490 shall be deposited into the Land Acquisition Fund.
- e) The Land Acquisition Fund shall be held in the custody of the Town Treasurer or other officer in charge of funds of the municipality, and all or any part of the monies in said funds may, from time to time, be invested in any securities in which public funds may be lawfully invested. All income derived from the investments in such fund shall be added to the fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal from such fund for use as hereinafter set forth.
- f) No sums contained in said Land Acquisition Fund, including interest and dividends earned upon said funds, shall be transferred to any other account or fund and no appropriations shall be made from the fund except in accordance with the provisions of this Ordinance.

Section 3: Appropriations from Fund

The continuation of the Land Acquisition Fund shall be perpetual, notwithstanding that from time to time said fund may be unfunded. Appropriations from the Land Acquisition Fund shall be made only for costs associated with the acquisition in the Town's name of parcels of land or development rights or easements, interests or rights therein, the use of which shall be devoted to open space, recreation or housing.

Section 4: Effective Date:

This Ordinance shall become effective fifteen (15) days after publication thereof in a newspaper having circulation in the Town of Goshen.

Adopted: May 31, 2006

Published: June 3, 2006