

**MINUTES OF THE 310TH MEETING OF THE MEMBERS OF THE  
HOUSING TRUST FUND CORPORATION (“HTFC”)  
HELD ON NOVEMBER 12, 2014 AT 9:00 A.M.**

Locations: 641 Lexington Avenue, New York, NY 10022 and  
38-40 State Street, Hampton Plaza, Albany, NY 12207  
\*locations connected by video-conference

**MEMBERS PRESENT:**

Darryl C. Towns, Chairman  
Marian Zucker for William Mulrow, Member

**HTFC OFFICERS PRESENT:**

Gary Connor, Counsel  
Sharon Devine, President, Office of Professional Services  
Sean Fitzgerald, Vice President, Office of Finance and Development  
Bret Garwood, Senior Vice President, Office of Finance and Development  
Ted Houghton, Chief Executive Officer  
Karen Hunter, Treasurer  
Chris Leo, Vice President, Office of Community Renewal  
Stacey Mickle, Assistant Treasurer  
Eu Ting-Zambuto, Secretary

**OTHERS PRESENT:**

Joseph Zotto, Manager, Information Technology Services  
Chris Spillman, Project Director, Hill International  
Heather Spitzberg, SEQRA Officer, HCR

There was a quorum with two Members present. Chairman Towns made a motion to call to order the 310th Meeting of the Members of HTFC. The motion was seconded by Ms. Zucker.

**The first item on the HTFC agenda was the approval of the minutes of the 309th meeting held on October 16, 2014.** The minutes were deemed approved.

**The second item on the HTFC agenda was a resolution authorizing an award under the Medicaid Redesign Team (“MRT”) Program for the Concern Middle Island Apartments.** Mr. Garwood presented the recommendation for up to \$2.7 million in MRT funding for the project, a 123 unit integrated housing project with 50 units set aside for chronically homeless single adults. He stated that the New York State Housing Finance Agency (“HFA”) awarded bonds and other sources of funding to move the project forward. Further, he stated that he anticipated that the project will receive funding through Bank of America and if the funding is awarded, this MRT award will reduce on a dollar for dollar basis.

Ms. Zucker asked if there are other subsidy sources besides MRT.

Mr. Garwood responded that there are other sources but no other HFA sources.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby approve the award of up to \$2,700,000 in Medicaid Redesign Team funds for Concern Middle Island Apartments and the entering into of regulatory agreements with the applicant, upon its satisfactory compliance with any pre-contract conditions as required by statute or regulation, and upon such other governing terms and conditions.

Section 2. The Members hereby provide that this authorization will lapse 360 days after the effective date of this resolution if a closing on all sources of construction financing sufficient to complete the project has not occurred.

Section 3. The Members hereby authorize the President of the Office of Finance and Development or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall take effect immediately.

**The third item on the HTFC agenda was a resolution authorizing an award under the Medicaid Redesign Team Program for The Modern.** Mr. Garwood presented that this recommendation is for an award of up to \$2.7 million in MRT funds for a project for 81 units with 22 units set aside for individuals with special needs, as part of a community development plan in Mount Vernon. He stated that he anticipated this project will also receive funding through a Bank of America award which will reduce the amount of the MRT award as well as an HFA subsidy previously approved.

Ms. Zucker asked about the timing is of the Bank of America award.

Mr. Garwood responded that formal notification is expected in approximately a day.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby approve the award of up to \$2,700,000 in Medicaid Redesign Team funds for The Modern and the entering into of regulatory agreements with the applicant, upon its

satisfactory compliance with any pre-contract conditions as required by statute or regulation, and upon such other governing terms and conditions.

Section 2. The Members hereby provide that this authorization will lapse 360 days after the effective date of this resolution if a closing on all sources of construction financing sufficient to complete the project has not occurred.

Section 3. The Members hereby authorize the President of the Office of Finance and Development or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall take effect immediately.

**The fourth item on the HTFC agenda was a resolution authorizing awards under the Homes for Working Families (“HWF”) Program for Ohav Sholom and Historic Pastures.** Mr. Garwood stated that these two projects are also advancing with HFA bond financing which was previously approved. He recommended up to \$2 million in HWF funds for Ohav Sholom, a rehabilitation project involving 210 units of HUD Section 8 affordable housing in the City of Albany. He also recommended up to \$2 million in HWF funds for Historic Pastures, a 246 unit HUD Section 8 multifamily project in the City of Albany. He stated that Liberty Affordable Housing is the developer and it is aggregating three projects together in the historic district with a comprehensive rehabilitation. He indicated that it was a good community development project and that the project is also on the agenda for a recommended Community Investment Fund award.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby authorize an award of up to \$2,000,000 under the HWF Program for Ohav Sholom and the entering into of regulatory agreements for the project, upon such other terms and conditions as set forth under program guidelines.

Section 2. The Members hereby authorize an award of up to \$2,000,000 under the HWF Program for Historic Pastures and the entering into of regulatory agreements for the project, upon such other terms and conditions as set forth under program guidelines.

Section 3. The Members hereby provide that this authorization will lapse 180 days after the effective date of this resolution if a closing on

all sources of construction financing sufficient to complete the project has not occurred.

Section 4. The Members hereby authorize the President of the Office of Finance and Development or another officer or authorized agent, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 5. This resolution shall take effect immediately.

**The next item on the HTFC agenda was a resolution authorizing awards under the Rural and Urban Community Investment Fund (“CIF”) for The Modern, Historic Pastures, WIH Preservation, and Binghamton Gateway Homes.** Mr. Fitzgerald stated that three urban awards and one rural award are being recommended after scoring and review. He stated that The Modern, Historic Pastures, and WIH Preservation were before the HFA Board previously for tax exempt bond financing and 4% tax credits. He stated that Binghamton Gateway Homes is a unified funding early award disaster relief project which was awarded 9% tax credits and Community Development Block Grant Disaster Recovery funds in late October. He summarized that the CIF awards for Binghamton Gateway Homes, the Modern, WIH Preservation, and Historic Pastures will be used for costs associated with larger mixed-use residential projects and rehabilitation costs.

Ms. Zucker asked about the split between the rural and urban funds.

Mr. Fitzgerald stated that with these awards, \$2.9 million in urban funds and a quarter of a million of the rural funds remain uncommitted. He stated that last year, about \$2.5 million in urban funds was awarded during the unified funding round and that there are sufficient resources available.

Mr. Garwood added that the allocation was approximately \$6.7 million for a total of \$12 million across the two fiscal years. He stated that there is a demand for the funds.

Chairman Towns asked if the types of potential tenants are taken into account. He stated that some at-risk communities are overridden by hair salons and nail salons.

Mr. Fitzgerald responded that priority is given to tenants that address a high need in the community such as healthcare institutions and affordable daycare. He reported that the Campus Center in Albany is an example of a tenant that will provide job training, educational opportunities and community services.

Chairman Towns indicated that he wanted the Corporation to continue to see how it can sharpen this search for tenants.

Mr. Fitzgerald responded that he welcomed the discussion.

Mr. Garwood added that The Modern is an example of where a project can afford to be more patient with the tenants taken on. Further, he stated that many cities are looking for great tenants and want to work together to see how they can get them.

Chairman Towns commented that with preservation projects, the developer should search for these tenants as well.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby authorize awards under the CIF Program up to the amounts specified to the following eligible applicants:

SHARS ID	Project	Applicant	Urban/Rural	CIF Amount
20136101	The Modern	The Modern, LLC	Urban	\$750,000
20136102	Historic Pastures	Liberty Affordable Housing Inc.	Urban	\$250,000
20140268	WIH Preservation	WIH Preservation, LLC.	Rural	\$750,000
20146004	Binghamton Gateway Homes	First Ward Action Council, Inc.	Urban	\$115,000

Section 2. The Members hereby approve the entering into of regulatory agreements with the applicants, upon their satisfactory compliance with any pre-contract conditions as required by statute or regulation and consistent with such terms and conditions as set forth by CIF Program guidelines.

Section 3. The Members hereby authorize the President of the Office of Finance and Development or another authorized officer of HTFC to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution provided this authorization will lapse 180 days after the date on which this resolution shall have taken effect if a closing on all sources of construction financing sufficient to complete the project has not occurred.

Section 4. This resolution shall take effect immediately.

**The next item on the HTFC agenda was a resolution authorizing contract renewals for Technical Assistance Services.** Mr. Leo stated that in May 2012, the board approved ten technical assistance contracts to successful respondents of a Request for Proposals (“RFP”). Pursuant to the RFP, each firm received a contract for an initial one-year term, with up to four additional one-year renewals, through 2017. He stated that to date, approximately \$182,000 has

been committed in technical assistance funding for services used to assist HCR staff in areas including the implementation of the HOME rule regulations, collection of data for the Office of Fair Housing and Equal Opportunity, training for local program administrators to address lead based paint regulation compliance, and legal services for rural preservation companies.

Ms. Zucker asked about the source of funds.

Mr. Leo responded that the source of funds is HTFC corporate funds.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby approve the renewal of contracts with the firms identified below for a one-year term from January 1, 2015 to December 31, 2015:

Franke Consulting Group  
Environmental Education Associates, Inc.  
Landair, Inc.  
The Smith Group  
Downtown Revitalization Group  
Thompson Economic Development Services, LLC  
NYS Rural Housing Coalition, Inc.  
Neighborhood Preservation Coalition, Inc.  
Sacks Communication & A.L. Consulting  
Cornell Cooperative Extension of Albany County

Section 2. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

**The next item on the HTFC agenda was a resolution approving the SEQRA documentation and classification of the environmental impact of Our Lady of Lourdes.** Ms. Spitzberg began her presentation by summarizing her recent participation in a panel to demystify the environmental review process for developers. She extended the offer to speak on the process to the Board and staff. She presented Our Lady of Lourdes, an adaptive reuse project of a historic rectory with new construction to create 76 units for seniors in using low-income housing tax credits and project-based vouchers. She stated that noise mitigation has been incorporated into the project because it is adjacent to an elevated rail line and recommended that the project be classified as an unlisted action with a negative declaration under SEQRA.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby accept the SEQRA documentation for Our Lady of Lourdes and hereby adopt the recommendation that the project be classified as an unlisted action with a negative declaration under SEQRA.

Section 2. The Members hereby authorize the SEQRA Officer or any authorized officer to execute any documents in accordance with the applicable provisions of law to effectuate the purpose of this resolution.

Section 3. This resolution shall take effect immediately.

**The next item on the agenda was a resolution authorizing a contract with Stellar Services for information technology consultant services.** Mr. Zotto stated that Stellar Services is a preferred partner for the document management platform which has been utilized and which will continue to be utilized in rent administration, the HUTS replacement project, and subsidy services scanning. He stated that the proposed contract is for services on an “as needed” basis for services in the areas including system performance, interfaces with other applications, records management and security.

Chairman Towns asked about the length of the contract.

Mr. Zotto responded that the length of the contract is two years.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby authorize the contract with Stellar Services, a New York State certified minority owned business enterprise, for information technology consultant services for a two year period and in an amount not to exceed \$200,000.

Section 2. The Members hereby authorize the President of the Office of Professional Services or another Officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

**The next item on the agenda was a resolution confirming the adoption of amended by-laws to add an internal auditor for Governor’s Office of Storm Recovery.** Ms. Ting-

Zambuto stated that by written approval on October 28, 2014, the Members approved a resolution establishing an internal audit function dedicated solely to the Community Development Block Grant Disaster Recovery Program and amending the By-Laws accordingly. The newly adopted by-laws are included in the materials for your reference and will be posted online. The resolution confirms the previously passed resolution to maintain its effectiveness.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby confirm the resolution passed in writing on October 28, 2014, authorizing the establishment of an internal audit function dedicated solely to the Community Development Block Grant Disaster Recovery Program and the creation of the position of Governor's Office of Storm Recovery Director of Internal Audit, which will lead the internal audit function.

Section 2. The Members hereby confirm the resolution passed in writing adopting a revision to the By-Laws to add Article XI, Section 2, Subsection C:

Notwithstanding Article V, Section 6 (h) of these By-Laws and Article IX, Section 2(b), an additional audit function may be established for activities under the Community Development Block Grant-Disaster Recovery Program. The audit function for activities under the Community Development Block Grant-Disaster Recovery Program shall be led by a Director of Internal Audit, who shall be empowered to conduct any internal audit or other review of the books and records of the Governor's Office of Storm Recovery at his or her discretion, and shall report the results of same directly to the HTFC Board of Directors and to the Executive Director of the Governor's Office of Storm Recovery, as simultaneously as is practical. All Members, Officers, employees, agents or staff of the Corporation shall be subject to this provision with respect to their activities in connection with or on behalf of the Corporation, and shall cooperate fully with the Director of Internal Audit or his or her designee(s) in connection with any such internal audit or review.

Section 3. This resolution shall take effect immediately.

**The next item on the agenda was a resolution confirming the approval of an award under the Low-Income Housing Trust Fund ("HTF") Program for the Oneida Workforce Housing Project.** Ms. Ting-Zambuto stated that by written approval on October 28, 2014, the Members passed a resolution authorizing an award under the HTF Program for the Oneida Workforce Housing Project in Madison County in the amount of up to \$2,200,000. The resolution confirms the previously passed resolution to maintain its effectiveness.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby authorize an award under the HTF Program up to the amount specified to the following eligible applicant:

<u>SHARS ID</u>	<u>Project/Applicant</u>	<u>County</u>	<u>HTF Amount</u>
20146002	Oneida Workforce Housing / Stoneleigh Housing, Inc.	Madison	\$2,200,000

Section 2. The Members hereby provide that this authorization will lapse 360 days after the effective date of this resolution if a closing on all sources of construction financing sufficient to complete the project has not occurred.

Section 3. The Members hereby authorize the entering into of regulatory agreements with the applicants, upon their satisfactory compliance with any pre-contract conditions as required by statute or regulations, and upon such terms and conditions as set forth by HTF Program guidelines.

Section 4. The Members hereby authorize the President of the Office of Finance and Development or another authorized officer of HTFC to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution

Section 5. This resolution shall take effect immediately.

**The next item on the agenda was a resolution authorizing awards from the Community Development Block Grant Community Renewal Fund (“CRF”) Program.** Mr. Leo presented that the Office of Community Renewal is advancing more than \$13.6 million in CRF funds for review and consideration. He stated that uncommitted Community Development Block Grant funds were set aside for five Regional Economic Development Council Regions to solicit for economic development, housing, public infrastructure, and public facilities applications. He stated that \$1,000,000 was made available to Mid-Hudson, \$7,000,000 was made available to Mohawk Valley, \$700,000 was made available to North Country, \$3,500,000 was made available to Southern Tier, and \$2,000,000 was made available to Western New York. He stated that the regions and availability of funds were determined in concert with the Regional Economic Development Council. Mr. Leo stated that the Corporation worked with the Regional Economic Development Council to identify priority applications and conduct its review, resulting in a recommendation of 44 awards totaling \$13.6 million dollars which will cover projects which will create or retain jobs, provide training for individuals, benefit thousands of low- to moderate- income New Yorkers through public infrastructures and facilities projects, and

fund affordable housing. He stated that this may be the last year that HTFC participates in the CRF. He stated that there is a good range in the projects being funded and highlighted several projects being recommended for funding.

Ms. Zucker asked why only these five regions participated.

Mr. Leo responded that that decision was made by the Regional Council.

Ms. Zucker moved to adopt the resolution; Chairman Towns seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby approve awards under the Community Development Block Grant Program from the Community Renewal Fund for the applicants up to the amounts identified below:

<b>CDBG Project #</b>	<b>Recipient Name</b>	<b>Project Name</b>	<b>REDC Region</b>	<b>Total Award \$</b>
1069CRF-PF87-14	Sheridan, Town	Silver Creek Senior Center	Western NY	\$200,000.00
1126CRF-SB840-14	Sullivan County	Maranatha Farm	Mid-Hudson	\$50,000.00
1126CRF-SB841-14	Sullivan County	Catskill Mountain Dairies, LLC	Mid-Hudson	\$100,000.00
1139CRF-PF97-14	Ticonderoga, Town	Community Center and Town Hall ADA Improvement	North Country	\$100,000.00
1144CRF-HR99-14	Tompkins County	County Wide Housing Rehabilitation	Southern Tier	\$400,000.00
1163CRF-HR95-14	Unadilla, Village	Village Wide Housing Rehabilitation	Mohawk Valley	\$250,000.00
135CRF-HO117-14	Broome County	Broome County Land Bank	Southern Tier	\$750,000.00
253CRF-SB806-14	Town of Cobleskill	JT Cycles, LLC	Mohawk Valley	\$25,000.00
260CRF-HR113-14	Colchester, Town	Town Wide Housing Rehabilitation	Southern Tier	\$400,000.00
264CRF-HR96-14	Colesville, Town	Town Wide Housing Rehabilitation	Southern Tier	\$400,000.00
317CRF-ME834-14	Delaware County	Microenterprise Program	Southern Tier	\$200,000.00
319CRF-ED833-14	Town of Delhi	Sportsfield Specialties, Inc	Southern Tier	\$225,000.00
32CRF-ED838-14	City of Amsterdam	Beckmann Converting	Mohawk Valley	\$68,000.00
382CRF-ME801-14	Essex County	Southern Essex County Microenterprise Program	North Country	\$200,000.00
412CRF-HR116-14	Fort Plain, Village	Village Wide Housing Rehabilitation	Mohawk Valley	\$250,000.00
412CRF-PR114-14	Fort Plain, Village	Sewer Improvement Project	Mohawk Valley	\$600,000.00
432CRF-PF103-14	Fulton County	Lexington Arts Center	Mohawk Valley	\$750,000.00

433CRF-PR119-14	Fultonville, Village & Fonda, Village	Fonda-Fultonville Joint WWTP Improvements	Mohawk Valley	\$550,000.00
462CRF-PF102-14	Gloversville, City	Estee School Senior Housing	Mohawk Valley	\$400,000.00
486CRF-HR90-14	Groton, Town	Town Wide Housing Rehabilitation	Southern Tier	\$400,000.00
487CRF-PR88-14	Groton, Village	Stormwater Improvement	Southern Tier	\$194,000.00
566CRF-PR111-14	Ilion, Village	East Street Sewer Project	Mohawk Valley	\$600,000.00
579CRF-PF98-14	Jay, Town	AuSable Forks Community Center and Emergency Shelter Project	North Country	\$200,000.00
603CRF-ME837-14	Kiryas Joel, Village	Microenterprise Program	Mid-Hudson	\$200,000.00
636CRF-HO118-14	Lewis County	Homeownership Program	North Country	\$200,000.00
663CRF-ME828-14	City of Lockport	Boutique Microenterprise Program	Western NY	\$180,000.00
663CRF-ME830-14	City of Lockport	Traditional Microenterprise Program	Western NY	\$200,000.00
739CRF-ED835-14	Town of Mina	Findley Lake Watershed Project	Western NY	\$200,000.00
795CRF-PF120-14	New Square, Village	Sidewalk Program	Mid-Hudson	\$200,000.00
846CRF-ED814-14	Oneida County	Interceptor Sewer Upgrade Project	Mohawk Valley	\$750,000.00
846CRF-ED815-14	Oneida County	Charles T. Sitrin Health Care Center	Mohawk Valley	\$350,000.00
846CRF-ED832-14	Oneida County	Delft Blue, LLC	Mohawk Valley	\$280,000.00
846CRF-HR110-14	Oneida County	Mobile Home Replacement Program	Mohawk Valley	\$750,000.00
846CRF-SB818-14	Oneida County	McDonough Hardwoods, Ltd	Mohawk Valley	\$100,000.00
847CRF-HR93-14	Oneonta, City	City Wide Housing Rehabilitation	Mohawk Valley	\$250,000.00
847CRF-PF94-14	Oneonta, City	Main St. Streetscape Improvements	Mohawk Valley	\$400,000.00
847CRF-PR92-14	Oneonta, City	Market Street Stormwater Project	Mohawk Valley	\$600,000.00
868CRF-ED822-14	Otsego County	Morris Tent Rentals, Inc	Mohawk Valley	\$60,000.00
868CRF-ED824-14	Otsego County	Susquehanna Regional Center for Growth	Mohawk Valley	\$200,000.00
868CRF-ED826-14	Otsego County	Northern Eagle Beverages, Inc.	Mohawk Valley	\$105,000.00

868CRF-HR108-14	Otsego County	Mobile Home Replacement Program	Mohawk Valley	\$660,800.00
875CRF-HR100-14	Owego, Village	Village Wide Housing Rehabilitation	Southern Tier	\$400,000.00
937CRF-PF112-14	Port Henry, Village	Elizabeth Street Stormwater Sewer	North Country	\$100,000.00
938CRF-ME827-14	City of Port Jervis	Microenterprise Program	Mid-Hudson	\$200,000.00

Section 2. The Members hereby authorize the Vice President of the Office of Community Renewal or another officer, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

**The first informational item was the review of authorized contracts under the Community Development Block Grant Disaster Recovery Program.** Contracts were executed with KPMG LLP, Deloitte Financial Advisory Services LLP, Tectonic Engineering & Surveying Consultants, P.C., Tetra Tech Inc., The Louis Berger Group, LIRO, and Makeable. Additionally, subrecipient agreements were executed with the Long Island Power Authority and the City of New York.

**The next item was a review of a SEQRA Type II action.**

**The next item was a review of SEQRA determinations by the Governor's Office of Storm Recovery.**

**The last item was a quarterly report on capital projects from the Office of Finance and Development.**

There being no unfinished business, Ms. Zucker moved to adjourn the meeting; Chairman Towns seconded the motion, and the meeting was adjourned.

Dated: November 12, 2014

  
Eu Ting-Zambuto