

**MINUTES OF THE 299<sup>TH</sup> MEETING OF THE MEMBERS OF THE  
HOUSING TRUST FUND CORPORATION  
HELD ON OCTOBER 10, 2013 AT 8:30 A.M.**

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

**MEMBERS PRESENT:**

Darryl C. Towns, Chairman  
William Mulrow, Member, represented by Marian Zucker

**OTHER PARTICIPANTS:**

Gail Bressler	Vice President, Office of Finance and Development
Christopher Browne	HCR
Mark Colon	Deputy Counsel
Sharon Devine	President, Office of Professional Services
Maralyne Fleischman	HCR
Karen Hunter	Assistant Treasurer
Jason Kim	HCR
Frank Markowski	Treasurer
Daniel Murphy	Vice President, Office of Housing Preservation
Joseph Palozzola	HCR
Heather Spitzberg	SEQRA Officer

There was a quorum with two Members present. Chairman Towns made a motion to call to order the 299<sup>th</sup> Meeting of the Members of the Housing Trust Fund Corporation (“HTFC”). The motion was seconded by Ms. Zucker.

**The first item on the HTFC agenda was the approval of the Minutes of the 298<sup>th</sup> Meeting Held on September 12, 2013.** The minutes of the 298<sup>th</sup> Members’ meeting were deemed approved.

**The second item on the HTFC agenda was a resolution approving an award from the Medicaid Redesign Team Program to Burnside Walton Apartments.** Ms. Bressler presented that the project is a joint venture by Walison Corp and Comunilife Inc. She stated that Comunilife is a big supportive housing provider in New York State, servicing awards from the Office of Mental Health. Ms. Bressler stated that the recommended award for \$4,125,000 from Medicaid Redesign Team funding will be for the construction of ninety units of housing including thirty-three units for individuals with severe and persistent mental illness and supportive housing services will be provided by Comunilife. Lastly, she stated that the project will also receive significant funding through HPD.

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

Section 1. The Members hereby approve the award of up to \$4,125,000 in Medicaid Redesign Team funds for the Burnside Walton 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 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 3. This resolution shall take effect immediately.

**The third item on the HTFC agenda was a resolution approving the SEQRA documentation and classification of the environmental impact of five projects.** Ms. Spitzberg presented her recommendation to classify five projects as Unlisted with a Negative Declaration. She stated that Burnside Walton Apartments is a new construction project receiving Medicaid Redesign Team funds; YWCA of Rochester UI is a rehabilitation project using Urban Initiatives funds; Club Street Waterfront Development is a rehabilitation project using Rural Area Revitalization Program funds, Calvary Grandparent Residences is a new construction project using Low-Income Housing Tax Credits and project-based vouchers, and Rochester View Apartments is a new construction project receiving Low-Income Housing Trust Fund Program funds, Low-Income Housing Tax Credits, Urban Initiatives Program funds, and Homeless Housing Assistance Program funds.

Ms. Zucker asked whether the Burnside Walton project is a joint SEQRA review with HFA. Ms. Spitzberg responded that it is a joint review with HFA's SEQRA Officer, Len Sedney. Ms. Spitzberg stated that there is a proposal for the appointment of Mr. Sedney to the HTFC board as a co-SEQRA officer so that either SEQRA officer may bring the project to the board.

Chairman Towns commented about the use of resources in connection with a comment by Thomas Mattox during an earlier HFA/AHC board meeting. Chairman Towns moved to adopt the resolution; Ms. Zucker seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby accept the SEQRA documentation for the projects for the Club Street Waterfront Development, Calvary Grandparent Residences, Rochester View Apartments, and YWCA of Rochester, and Burnside Walton Apartments, including the SEQRA Control Letter, the Short Environmental Assessment Form and the

Negative Declaration-Notice of Determination of Non-Significance, and hereby adopt the recommendation that the Club Street Waterfront Development Project, Calvary Grandparent Residences, Rochester View Apartments Project, YWCA of Rochester, and Burnside Walton Apartments projects be classified as UNLISTED 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 fourth item on the HTFC agenda was a resolution approving the SEQRA documentation and classification of the environmental impact of Community Development Block Grant Disaster Recovery (“CDBG-DR”) Economic Development Program projects.**

Ms. Spitzberg presented that this program generally allows for mitigation and rehabilitation of small businesses that have been impacted by Hurricanes Sandy, Lee and Irene. She stated that as individual project sites have not yet been chosen and will be chosen on a rolling basis, a generic review of the entire program has been conducted. Site specific reviews will be conducted as individual sites are chosen to ensure that each project conforms to the general review. She stated that the majority of the actions are anticipated to be Type 2 and a few may be Unlisted. She proposed a recommendation that all actions be classified as Unlisted with a Negative Declaration.

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

Section 1. The Members hereby adopt the recommendation that the CDBG-DR Economic Development Projects be classified as UNLISTED with a NEGATIVE DECLARATION under SEQRA with a generic environmental review, conditioned upon a site specific review by the SEQRA Officer confirming the same.

Section 2. The Members hereby authorize staff of the SEQRA Office or another HTFC 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 fifth item on the HTFC agenda was a resolution approving the SEQRA documentation and classification of the environmental impact of CDBG-DR Home Buyout**

**Program Projects.** Ms. Spitzberg presented that this program allows for the buyout and acquisition by HTFC of one to two family homes affected by Hurricane Sandy. She stated that as individual project sites have not yet been chosen and will be chosen on a rolling basis, a generic review of the entire program has been conducted. Site specific reviews will be conducted as individual sites are chosen to ensure that each project conforms to the general review. She stated that the actions are anticipated to be Unlisted or Type 1 actions.

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

Section 1. The Members hereby adopt the recommendation that the CDBG-DR Home Buyout Program Projects be classified as either Unlisted Actions with a Negative Declaration or Type 1 Actions with a Negative Declaration under SEQRA with a generic environmental review, conditioned upon a site specific review by the SEQRA Officer confirming the same.

Section 2. The Members hereby authorize staff of the SEQRA Office or another HTFC 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 sixth item on the HTFC agenda was a resolution approving an award from the Low-Income Housing Trust Fund Program to Brookside Senior Apartments under the Preservation Initiative Program.** Ms. Fleischman presented this award recommendation for up to \$1,953,221 for the Brookside Senior Apartments, the rehabilitation of 36 one-bedroom units of rental housing in 6 residential buildings in Rensselaer County. She stated that this award is the first award being recommended for funding under the Preservation Initiative Program and discussed the determination of eligibility of projects for funding under the Preservation Initiative Program. She presented that the project sponsor, Rouse HDFC, a long time partner in the affordable housing industry, in cooperation with HCR's consultants, the Local Initiatives Support Corporation and the National Equity Fund, completed the applications process and made the recommendation following a determination that the project meets the HTFC program requirements. She discussed the basis of the evaluation of this project, the cost of construction, and explained the financial feasibility of the project. The affordability of the project will be maintained by 11 senior households below 30% median and 25 senior households below 50% median. Lastly, Ms. Fleischman indicated that \$190,000 of the project's existing reserves will be used towards the rehabilitation, and reported that a portion of the reserve funds were recently used to replace the project's original roofs.

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

Section 1. The Members hereby approve an award of \$1,953,221 from HTF Program funds committed for PIP projects for Brookside Seniors Apartments and approve the entering into of a regulatory agreement with the applicant, upon its satisfactory compliance with any pre-contract conditions as required by statute or regulation, and upon such terms and conditions as set forth by HTF Program guidelines.

Section 2. The Members hereby authorize the President of the Office of Housing Preservation or another authorized officer of HTFC 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 seventh item on the HTFC agenda was a resolution confirming the designation of agents for residential property closings in connection with the Recreate New York Home Buyout Program.** Ms. Ting-Zambuto stated that by written approval on September 20, 2013, the Members passed a resolution designating four closing attorneys as agents of HTFC with the authority to enter and execute contracts, as well as any other related closing documents, in connection with the Recreate New York Home Buyout Program. Confirmation is required to maintain the effectiveness of the resolution.

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

Section 1. The Members hereby confirm the resolution passed in writing on September 20, 2013 expressly designating David M. Rubin, Esq. and Jonathan Flaxer, Esq. of the law firm of Golenbock Eiseman Assor Bell & Peskoe LLP, Diane Bartolone, Esq., and Angela Domanski, Esq., as agents of HTFC with the authority to enter and execute contracts, as well as any other related closing documents, in connection with the Recreate NY Home Buyout Program, including contracts for the buyout of residential real estate, on behalf of HTFC without further action by the Members; provided, that all such contracts are within the parameters and amounts approved under the New York State Disaster Recovery Action Plan as approved by the Members, State and local laws, rules and regulations, and consistent with HTFC policies, CDBG-DR policies and guidelines, and relevant HTFC resolutions.

Section 2. The Members hereby confirm the resolution passed in writing on September 20, 2013 authorizing the Director of Storm Recovery, or any authorized officer of HTFC, 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 eighth item on the HTFC agenda was a resolution confirming the designation of the Director of Storm Recovery as an agent for CDBG-DR Programs contracts and instruments and to establish segregated funding accounts for the programs.** Ms. Ting-Zambuto stated that by written approval on September 20, 2013, the Members passed a resolution designating the Director of Storm Recovery to be an agent of HTFC and an authorized signatory for any CDBG-DR Programs contracts and/or instruments and authorizing the Treasurer to establish segregated funding accounts for CDBG-DR Programs. Confirmation is required to maintain the effectiveness of the resolution.

Section 1. The Members hereby confirm the resolution passed in writing on September 20, 2013 expressly designating the Director of Storm Recovery to be an agent of HTFC and an authorized signatory for any CDBG-DR contracts and/or instruments, including contracts with any CDBG-DR sub-recipients, contractors, sub-contractors, technical service providers and/or other entities, and contracts for the procurement of goods and services for the CDBG-DR program, as are necessary and appropriate for carrying out the State's CDBG-DR Action Plan without further action by the Members; provided, that (i) all such contracts and/or instruments are within the amount permitted by HUD or other federal agencies; (ii) the signing of all such contracts and/or instruments be reported to the Members at the next scheduled meeting of the Members following such signing; (iii) no such contract or instrument shall be effective unless and until approved by the Disaster Recovery Counsel as to form and by the Treasurer as to financial sufficiency; and (iv) the Director of Storm Recovery shall certify to compliance with all applicable federal, State and local laws, rules and regulations, HTFC policies and CDBG-DR policies and guidelines, and otherwise as required in a form of certification approved by HTFC Counsel.

Section 2. The Members hereby confirm the resolution passed in writing on September 20, 2013 authorizing the Treasurer to establish segregated funding accounts for the CDBG-DR programs, consistent with the State's CDBG-DR Action Plan, and as applicable, authorize the Treasurer to disburse funds from such accounts, upon the presentation of a document executed by the Director of Storm Recovery or his designee, certifying that such monies are due and owing under those contracts.

Section 3. The Members hereby confirm the resolution passed in writing on September 20, 2013 authorizing, except where limited to specific officers or agents, the Director of Storm Recovery or any

authorized officer of HTFC to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. The Members hereby confirm the resolution passed in writing providing that the Chair of HTFC may revoke and rescind this resolution upon notice to the Members and the Director of Storm Recovery.

Section 5. This resolution shall take effect immediately.

The remaining items were informational items. No presentations on the informational items were requested. Ms. Ting-Zambuto highlighted that the tenth item on the agenda was an informational item identifying the contracts that Seth Diamond has entered into in accordance with the Members' authorization. She also indicated that staff had considered bringing another item regarding the ProSource Technologies contract before the board today, but the item was tabled.

There being no further business, the meeting was adjourned upon a motion made by Ms. Zucker and seconded by Chairman Towns.

Dated: October 10, 2013

  
Eu Ting-Zambuto