

**MINUTES OF THE 8TH MEMBERS' MEETING OF THE
NEW YORK STATE HOUSING FINANCE AGENCY'S
PROGRAM AND FINANCE COMMITTEE
HELD ON DECEMBER 9, 2010 AT 4:02 P.M AT
ITS OFFICES AT 641 LEXINGTON AVENUE
NEW YORK, NEW YORK 10022**

MEMBERS AND DESIGNEES

PRESENT:

Judd S. Levy	Chairman
Karen A. Phillips	Director/Member
Elaine McCann	Division of the budget, representing Robert Megna, Member (via video conference)

ABSENT:

Royce Mulholland	Member
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Chairman Levy chaired the meeting; Joy F. Willig, Senior Vice President and Counsel, acted as secretary. The meetings of the Affiliated Agencies opened in joint session for the consideration of various matters of shared importance. These minutes reflect only those items being considered by the Members of the New York State Housing Finance Agency's Program and Finance Committee. A record of items considered by other Agencies is contained in the minutes of each Agency respectively.

The first item on the agenda was the adoption of the minutes of the 7th meeting of the Finance and Program Committee held on Thursday, October 28, 2010. The minutes were deemed approved absent corrections from the Members.

The next item on the agenda was a series of resolutions authorizing financing for Clinton Park Apartments located at 770 Eleventh Avenue, New York, New York County. Mr. David Walsh discussed the item, and emphasized that the expenses are in line with comparable transactions in the immediate area as well as the other projects in the HFA portfolio. Mr. Walsh explained that there would be two phases, with this phase being the first and including an HFA housing project and a parking garage for the residents of the building. The second phase would be commercial space, a Mercedes Benz dealership, a stable for the NYPD mounted police, and more residential space, which would potentially but not necessarily be funded by HFA. Ms. Zucker noted that the borrower is requesting roughly \$60,000 less cap per unit than the HFA limit, which is beneficial for the Agency.

Ms. Phillips disclosed that she had reviewed and approved this project in this form for another board, but that she has no financial interest in the project.

Ms. Brewer moved to adopt the resolutions; Ms. Phillips seconded the motion; and the following resolutions were adopted unanimously:

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS CLINTON PARK APARTMENTS

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF CLINTON PARK HOUSING REVENUE BONDS.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF CLINTON PARK HOUSING REVENUE BONDS, 2010 SERIES A, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$77,000,000.

The next item on the agenda was a series of resolutions authorizing financing for **388 Bridge Street Apartments located at 388 Bridge Street, Brooklyn, Kings County**. Mr. Walsh emphasized that this would create 200-400 construction jobs as well as numerous retail jobs, depending on the final version of the state. Ms. Zucker emphasized that if this project were not fully financed in 2010, the Agency had made no commitment to finance the project, and if the project does not close by the end of the year, the cap would not assuredly be available in the following year. Mr. Mulholland stressed the importance of assisting the borrowers to close these projects on time. The borrowers, in attendance at the board meeting, confirmed that they fully understood that these transactions are only approved on a sale prior to December 31st. Mr. Mulholland congratulated staff on this project.

Ms. Phillips moved to adopt the resolutions; Ms. Brewer seconded the motion; and the following resolutions were adopted unanimously:

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS 388 BRIDGE STREET APARTMENTS.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 388 BRIDGE STREET APARTMENTS HOUSING REVENUE BONDS.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 388 BRIDGE STREET APARTMENTS HOUSING REVENUE BONDS, 2010 SERIES A, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$94,600,000.

The next item on the agenda was a series of resolutions authorizing financing for 25 Washington Apartments located in the city of New York, Kings County. Mr. Walsh discussed this item, explaining that it was very much in line with other projects HFA had financed in the past, as well as similar projects in the area. He explained that the building had been approved for a J-51 tax abatement, full tax exemption in years 1-11 and phased in. The developer notified HFA of their intention to seek an extension of the tax exemption, providing that improvements to the building would be tax exempt for 30 years, and then taxes would be phased in from years 30 through 34. He said the bonds would be issued in a weekly floating rate mode, and that, in the general area, the average expenses were \$6,500 per unit and this project cost only \$5,500 per unit, making this 80/20 a relatively scaled-down project due to few full time staff. Mr. Levy asked about the significance of the adverse environmental impact determination. Ms. Willig noted that this characterization was due to the additional stories on the existing building. The borrower explained that this was typical of all projects that are located across from a park that add more than one story of new construction, and that the adverse EIS for the developer's proposed two stories of new construction had been mitigated after the developer agreed to make slight changes to other aspects of the building. Mr. Walsh confirmed that unsold units would likely be considered rentals. Mr. Levy asked if M & T Bank were

Mr. Levy sought to confirm that staff was comfortable with this structure of ground lease. Ms. Zucker explained that it was the borrower's desire to try to leave themselves as much flexibility as possible for their future with the project, and that this ground lease structure gave them that desired flexibility, and that staff was comfortable with this arrangement.

Ms. Phillips moved to adopt the resolutions; Ms. Brewer seconded the motion; and the following resolutions were adopted unanimously:

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS 25 WASHINGTON STREET APARTMENTS.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 25 WASHINGTON STREET HOUSING REVENUE BONDS.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 25 WASHINGTON STREET HOUSING REVENUE BONDS HOUSING REVENUE BONDS, 2010 SERIES A, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$22,000,000.

Mr. Levy asked why Brooklyn projects had been so prevalent of late. Ms. Zucker stated that the land opportunities in Brooklyn were greater than in Manhattan, but that various Manhattan projects would come up shortly.

The next item on the agenda was a series of resolutions authorizing financing for 29 Flatbush Avenue located at 29 Flatbush Avenue, Brooklyn, Kings County. Mr. Walsh discussed this project, highlighting certain details in information that had previously been

delivered to the Members, including that there would be three (3) supportive housing units and eleven (11) deep rents skewed units. Mr. Levy noted that he would like such information included in a uniform location in the materials given to the Board in relation to future projects. Ms. Phillips asked where this is located, and if there were anything on the site now. Ms. Zucker stated that the site was currently a parking lot near the Brooklyn Academy of Music.

Ms. Phillips moved to adopt the resolutions; Ms. Brewer seconded the motion; and the following resolutions were adopted unanimously:

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS 29 FLATBUSH AVENUE.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 29 FLATBUSH AVENUE HOUSING REVENUE BONDS.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 29 FLATBUSH AVENUE HOUSING REVENUE BONDS HOUSING REVENUE BONDS, 2010 SERIES A, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$99,000,000.

The next item on the agenda was a consent item requesting to review a series of resolutions authorizing financing for LaPorte Apartments located at 203 Gramatan Avenue, City of Mt. Vernon, Westchester County. In accordance with the provisions of the HFA by-laws, Mr. Levy requested unanimous consent of the Members to agree to consider a resolution for the Laporte project, which was not received by the Members in advance of the meeting. He explained that the materials were in the Members' folders.

The next item on the agenda was a series of resolutions authorizing financing for LaPorte Apartments located at 203 Gramatan Avenue, City of Mt. Vernon, Westchester County. Mr. Walsh presented this item, which is a 159 unit all-affordable project developed by Atlantic Development, an entity which is known to the Agency. The 14 story building would be 100% would be affordable to families at or below 60% of AMI and 40% would be affordable to families at or below 50% of AMI. Ms. Phillips asked if this is located centrally in the city of Mt. Vernon, to which Ms. Zucker responded that it was.

Ms. Phillips moved to adopt the resolutions; Ms. Brewer seconded the motion; and the following resolutions were adopted unanimously:

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS LAPORTE APARTMENTS.

**A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY
AUTHORIZING THE ISSUANCE OF LAPORTE APARTMENTS HOUSING
REVENUE BONDS.**

**A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY
AUTHORIZING THE ISSUANCE OF LAPORTE APARTMENTS HOUSING
REVENUE BONDS, 2010 SERIES A, IN A PRINCIPAL AMOUNT NOT
EXCEEDING \$36,000,000.**

The next item on the agenda was a resolution authorizing the President to adjust the amount of mortgages or bonds approved by Member Resolution. Ms. Zucker explained that this authorization would give the President the authority to adjust the amount of mortgages or bonds approved by Member Resolution in amount not to exceed 10% of the originally approved amount.

Ms. Phillips moved to adopt the resolutions; Ms. Brewer seconded the motion; and the following resolutions were adopted unanimously:

**A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE
AGENCY AUTHORIZING THE PRESIDENT TO ADJUST THE
AMOUNT OF MORTGAGES OR BONDS APPROVED BY MEMBER
RESOLUTION.**

There being no unfinished business, Ms. Phillips moved to adjourn the meeting; Mr. Levy seconded the motion; and the meeting was adjourned at 4:39 PM.


Secretary