

David A. Paterson
Governor



Deborah VanAmerongen
Chairperson

New York State Housing Trust Fund Corporation
Hampton Plaza
38-40 State Street
Albany, NY 12207

**MINUTES OF THE
TWO HUNDRED FIFTY SEVENTH MEETING
OF THE MEMBERS OF THE
HOUSING TRUST FUND CORPORATION**

Time and Date: 11:00 a.m., March 31, 2009

Location: 38-40 State St., Albany, New York

Members Present: Deborah VanAmerongen, Karen Hunter and Marisa Lago.

Others in attendance in Albany:

Brian E. Lawlor	Chief Executive Officer
Gary Hallock	President – OCD
Sean Fitzgerald	Vice President - OCD
Joseph Rabito	President – OCR
Gary R. Connor	Counsel
Catherine Johnson	Treasurer
Frank Markowski	Assistant Treasurer
Sean P. Shea	Secretary
Joseph Fryer	DHCR
Barbara Wigzell	DHCR
Michael DeBonis	DHCR

Approval of the Minutes of the February 3, 2009 and March 3, 2009 Meetings

After full discussion, upon motion made by Ms. Hunter and second made by Ms. VanAmerongen, the minutes of the February 3, 2009 and March 3, 2009 meetings were unanimously adopted.

Treasurer's Report:

Mr. Markowski presented the report to the Members for their consideration.

Highlights:

- As of February 28, 2009, the Corporation had \$ 2,343,085 in its bank accounts and \$ 236,426,013 in investments. No budget certificates or vouchers were pending.

Corporation Budget

The presentation was made by Frank Markowski.

Highlights:

- The only change from the budget presentation was the correction of a salary amount in schedule BB-4. The change was balanced out by a corresponding reduction in non-personal services in the same schedule.

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. Lago and unanimously approved, the following motion was adopted:

RESOLVED that the annexed budget is hereby adopted, subject to the adoption of the State Budget, as the Corporation's Budget for the fiscal year 2009-2010; and be it further

RESOLVED that the Treasurer or Assistant Treasurer may make such non-material amendments to the budget as necessary for the efficient fiscal management of the Corporation, and may make such other amendments to the budget as necessitated by any subsequent resolution of the Members, and shall report any budget amendments to the Chief Executive Officer as soon as practicable and shall report on at least a quarterly basis on the status of the budget to the Members, and be it further

RESOLVED that the Chief Executive Officer is hereby authorized and directed to file the annexed budget as required by law,

SEQRA Procedures for TYPE II Projects

Ms. Wigzell presented the resolution to the Members for their consideration.

Highlights:

- **The resolution would memorialize the change in procedure whereby classification of projects as Type II would be a function handled by the SEQRA Officers without Board action.**
- **All classifications made by the SEQRA Officers are to be reported to the Members and any project where the classification is not clear shall be submitted to the Members for their consideration.**
- **The revision to the Corporation’s procedures brings it in line with those followed by the Housing Finance Agency and the Empire State Development Corporation.**

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. VanAmerongen and unanimously approved, the following motion was adopted:

RESOLVED, that the Corporation hereby authorizes the SEQRA Officers to make final “Type II” classifications and, immediately upon such classification, to issue and deliver an environmental clearance letter, provided that, in any instance in which a proposed action may be, but is not clearly, a Type II Action, the Corporation hereby directs the SEQRA Officers to bring such action before the Board at its next meeting; and be it further

RESOLVED, that the Corporation hereby directs the SEQRA Officers to submit documentation to the project file, evidencing their Type II determination and identifying the particular category of Type II Action upon which such determination was based; and be it further

RESOLVED, that the Corporation hereby directs the SEQRA Officers, at every Board meeting, to report to the Corporation those actions that were determined to be Type II since the previous Board meeting; and

LET IT BE KNOWN, that the Corporation is not delegating its responsibility under SEQRA to act on individual “Type I” and “Unlisted Actions.”

Report of the President of the Office of Community Development

Mr. Hallock presented the report to the Members for their consideration.

Highlights:

- **Mr. Hallock reported on several Low Income Housing Trust Fund projects that closed.**
- **The Urban Initiative and Rural Area Revitalization review process has been streamlined and applications are no longer subject to detailed agency review like large projects.**
- **An effort is being made to have this year’s funding round ready for award at earlier point in than last year.**

Urban Initiative Award to Housing Visions Unlimited, Inc.

Mr. Fitzgerald presented the resolution to the Members for their consideration.

Highlights:

- **Mr. Fitzgerald presented a summary of the proposed award.**
- **The project consists of 43 units of office space, some of which will be occupied by affiliates of the applicant.**

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. Lago and unanimously approved, the following motion was adopted:

RESOLVED that the President of the Office of Community Development or other authorized officer of the Corporation be, and hereby is, authorized and directed, upon satisfactory compliance with any pre-contract conditions as are required by statute or regulation, to

enter into an award and regulatory agreements under the Urban Initiatives Program with the applicant listed below in the amount listed below and upon such terms and conditions as are set forth in the annexed briefing report:

Housing Visions Unlimited, Inc. 20086090 \$ 100,000

Low Income Housing Trust Fund Seed Money Award to Schoharie County Rural Preservation Corp.

Mr. Fitzgerald presented the resolution to the Members for their consideration.

Highlights:

- Mr. Fitzgerald presented a summary of the proposed award.
- The applicant has received several local program administrator awards, and this is a welcomed effort to expand its abilities.

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. Lago and unanimously approved, the following motion was adopted:

RESOLVED that the President of the Office of Community Development or other authorized officer of the Corporation be, and hereby is, authorized and directed, upon satisfactory compliance with any pre-contract conditions as are required by statute or regulation, to enter into a seed money award agreement, for seed money award expenses only, with the applicant listed below for the amount listed below and upon such terms and conditions as are set forth in the annexed briefing report:

Schoharie County Rural Preservation Corp. 20086119 \$ 40,000

SEQRA – Office of Community Development

Ms. Wigzell presented the resolution to the Members for their consideration.

Highlights:

- Ms. Wigzell summarized the project for the Members.

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. Lago and unanimously approved, the following motion was adopted:

- **RESOLVED** that the Corporation accepts the report of the SEQRA Committee attached hereto conditional upon the satisfactory resolution of any adverse condition identified therein; and be it further
- **RESOLVED** that the Corporation classified the following projects as Unlisted, the determinations as listed in the right hand column be made and that no further action is required:
 - **Habitat For Humanity-New York City, Inc. 20083253 Neg. Declaration**
 - **Harlem Congregations For**
 - **Community Improvement 20086027 Neg. Declaration**
 - **and be it further**
- **RESOLVED** that the SEQRA Officer for the Office of Community Development, or the President for the Office of Community Development in the SEQRA Officer's absence, is authorized and directed to implement the determinations of the Corporation as made above.

SEQRA Type II Classifications – Office of Community Development

Ms. Wigzell reported on the projects which she had classified as Type II.

**Construction Monitoring, Environmental and Consulting Engineering/
Architectural Services Contracts**

Mr. Hallock presented the resolution to the Members for their consideration.

Highlights:

- **This will be the first year under a request for proposals that was issued in January.**
- **The amount requested represents the anticipated reduction in usage of construction monitors due to the hiring of staff to perform that task.**

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. VanAmerongen and unanimously approved, the following motion was adopted:

RESOLVED that the President of the Office of Community Development be, and hereby is, authorized and directed to negotiate and enter into contracts with the contractors listed below, the aggregate amount of all contracts not to exceed \$ 535,000 for terms to expire March 31, 2010 consistent with the Request for Proposals and the attachment to this resolution, subject to the adoption of the Corporation's Budget for fiscal year 2009-2010 which projects funding for this purpose.

Construction Monitoring Services:

Clough Harbour & Associates, LLP

CMX Engineering, Survey & Landscape Architects, P.C.

EMJ Construction Consultants N.A., Inc.

HAKS Engineers, Architects and Land Surveyors, P.C.

Hugh E. Hallenback, Architect

LiRo Program and Construction Management, P. C.

L.J. Gonzer Associates

Munoz Engineering, P.C.

Octagon Builders

Environmental Review Services:

C.T. Male Associates, P. C.

L.J. Gonzer Associates

The Louis Berger Group, Inc.

Tectonic Engineering & Surveying Consultants P. C.

Consulting Engineer / Architectural Services:

A.G. Consulting Engineering, P. C.

Atlantic Testing Laboratories, Limited

Bernier, Carr & Associates, P. C.

Cashin Associates, P. C.

**Chazen Engineering, Land Surveying & Landscape
Architecture Co., P.C.**

HAKS Engineers, Architects and Land Surveyors, P. C.

James Jordan Associates, Architects

L. Naoum, P. E., P. C.

MJ Engineering and Land Surveying P. C.

Munoz Engineering, P.C.

Om P. Popoli, P.E., L. S., P. C.

**Memorandum of Understanding with the Office of Parks, Recreation and Historic
Preservation and the Natural Heritage Trust**

Mr. Hallock presented the resolution to the Members for their consideration.

Highlights:

- **The memorandum of understanding allows for the expedited reviews by SHPO necessary to the construction process**

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. VanAmerongen and unanimously approved, the following motion was adopted:

RESOLVED that the President of the Office of Community Development be, and hereby is, authorized and directed to enter into a memorandum of understanding with the Office of Parks, Recreation and Historic Preservation and the Natural Heritage Trust for the purpose of expediting review of projects funded by the Corporation for an amount not to exceed \$ 88,889 for a term to expire March 31, 2010, subject to the adoption of the Corporation's Budget for fiscal year 2009-2010 which projects funding for this purpose.

Developmental Technical Assistance Contracts

Mr. Hallock presented the resolution to the Members for their consideration.

Highlights:

- **Mr. Hallock summarized the purposes of the contracts.**

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. Lago and unanimously approved, the following motion was adopted:

RESOLVED that the President of the Office of Community Development be, and hereby is, authorized and directed to negotiate and enter into contracts with the contractors listed below, the aggregate amount of all contracts not to exceed \$ 185,000 for terms to expire March 31, 2010 consistent with the Request for Proposals and the attachment to this resolution:

Case-By-Case Assistance

DAH Consulting, Inc.
Environmental Education Associates, Inc.
Franke Consulting Group
Housing Partnership Development Corporation
Hudson Planning Group, Inc.
ICF Consulting Services, L.L.C.

Group Training

Association For Energy Affordability, Inc.
Franke Consulting Group
The Smith Group
ICF Consulting Services, L.L.C.
Sunrise Management

Group Training: Lead-Based Paint Activity Training

Environmental Education Associates, Inc.
Franke Consulting Group
ICF Consulting Services, L.L.C.

Consolidated Planning

Franke Consulting Group

Report of the President of the Office of Community Renewal

Mr. Rabito presented the report to the Members for their consideration

Highlights:

- The Microenterprise Program is being moved from the competitive round to the open round in an effort to make the program more flexible and responsive to small business needs. The Office of Community Renewal has

also streamlined the application process and broadened the eligibility requirements as part of a general effort to support smaller, growing businesses.

- Staff is working with the Economic Recovery & Reinvestment Cabinet on the Reporting and Infrastructure working groups.
- The rate of investment under the New York Main Street Program is increasing, evidencing its success.
- The Corporation staff is preparing for an anticipated short window of time in which the awards under the Greater Catskill Flood Remediation Program are expected to be closed and funded.

Community Development Block Grant Program Awards

Mr. Rabito presented the resolution to the Members for their consideration.

Highlights

- Mr. Rabito presented a summary of the proposed awards.
- Ms. Lago asked that the summaries provide information on previous phases or awards to the same recipient in recent years.

After full discussion and upon motion duly made by Ms. Lago, seconded by Ms. Hunter and unanimously approved, the following motion was adopted:

Resolved that the President of the Office of Community Renewal or other authorized officer of the Corporation be, and hereby is, authorized and directed, upon satisfactory compliance with any pre-contract conditions as are required by the statute or regulation, to enter into award and regulatory agreements under the Community Development Block Grant Program with the applicants listed below in the amounts listed below and upon such terms and conditions as are set forth in the annexed briefing reports:

and a liaison with the Office of the Attorney General. A draft protocol is being worked on to document the process and memorializes what we have learned.

- The Corporation is pursuing a parallel track on this project. Foreclosure proceedings are being pressed forward on while the building will be secured and stabilized by Trip, Inc. as a managing agent. The long term effort is anticipating application for funding under the Small Project Initiative and requesting project-based vouchers under the Section 8 program. The goal will be to continue to serve homeless veterans.
- The Project did have a contract with Homeless Housing and Assistance Corporation which was cancelled. Trip, Inc. will secure a service provider for the residents.

After full discussion and upon motion duly made by Ms. Hunter, seconded by Ms. Lago and unanimously approved, the following motion was adopted:

RESOLVED that the President of the Office of Housing Management or other authorized officer of the Corporation be, and hereby is, authorized and directed to take such action as requested in the attachment to this resolution in accordance with the Policy for Use of Funds to Preserve HTFC Assisted Projects Imperiled by Disaster or Other Circumstances Beyond the Project's Ability to Remedy including the expenditure of funds not to exceed the amounts listed below:

Uncle Sam's House, Inc. 19980090 \$ 20,000

There being no further business, the meeting adjourned upon the motion of Ms. Hunter which was seconded by Ms. Lago and unanimously approved.

Dated: March 31, 2009

Sean P. Shea, Secretary