

Public Meeting of the Community Development Agency was held in the Municipal Building, 14 Baker Street, Patchogue, New York, on October 7, 2010.

1. Meeting was called to order at 7:10 p.m. by Chair David L. Reese, also present were Members Ernest C. Swinson, Toni Dean, Joseph E. Keyes, Jr., and Donald R. Wachsmuth. Also attending was, Executive Director Marian H. Russo. Chair Reese declared a quorum.
2. Minutes:
  - i. M. Russo stated that the minutes were not prepared due to technical difficulties but would be done for the November meeting.
3. CDBG Project/ Budget Lines - report by M. Russo.
  - i. Fiscal Year 2011 community Development Block Grant Budget - M. Russo read the public notice as follows:

Citizen's Ideas Wanted on Community Development Program Announcement of Public Hearing. In June, 2011, the Village of Patchogue community Development Agency expects to receive approximately \$222,000 in Federal Community Development Block Grant funds. These funds may be used, and have been previously used for a variety of projects to be selected by local officials. Eligible activities include: Acquisition and demolition of blighted property, Housing Rehabilitation, Elimination of Physical Barriers for the Handicapped, Public Facilities and Improvements, Sidewalk & Street Reconstruction, Code Enforcement, Public Water Projects, Economic Development, Public Services Limited to 15%). Village Residents are invited to attend a public hearing on October 7, 2010 at 7:00 p.m. at Patchogue Village Hall, 14 Baker Street, Patchogue, NY to express citizen views on local housing and community development needs to be met with these funds. David L. Reese, Chairman, Toni Dean, Joseph E. Keyes, Jr., Ernest C. Swinson, David R. Wachsmuth, Marian H. Russo, Esq., Executive Director.

M. Russo presented a proposed Fiscal Year 2011 Budget as follows: Administration \$24,420, Housing Code Enforcement \$36,900, Signage Program \$20,000, Family Service League \$5,000 and Sidewalk & Parking Lot Improvements \$135,680.

Member Keyes recommended having a budget line in the amount of \$100 for the Ballfield Project. Board agreed.

Member Dean asked if the sound issue for the Bandshell addressed. M. Russo stated that we could only fund items that attach to the Bandshell permanently and most of the baffles could not be permanently fixed.

Chair Reese asked if any member of the public would like to address the Board.

Ms. Robin Berger-Gaston of Family Service League stated that the Board had the letter that she wrote to the Board regarding services for seniors. Ms. Berger-Gaston stated that seniors would be people 50 years and over. Ms. Berger-Gaston stated that what was happening with the seniors is that their income has stayed the same and the cost of living has increased and what they may be doing was not taking their medication or going to the doctors they may not take care of their hygiene they may have their phone and electric turned off. Ms. Berger-Gaston stated that a case manager was there to make sure people were connected, to nutrition, to medication and to the funds they need to keep them going. Ms. Berger-Gaston stated that Patchogue has six senior designated housing, three were subsidized and three are not. Ms. Berger-Gaston stated that, that tells her that half of the seniors may not know that there were services for them.

Chair Reese asked Ms. Berger-Gaston what she would like from the CDA. Ms. Berger-Gaston stated that the Family Service League was trying to do was that we have a geriatric case manager and that person was trained in working with geriatric and would make home assessment and most important the case manager knows all the resources that are available to seniors. Ms. Berger-Gaston stated

that we wanted to reach seniors that were alone and need help.

Member Keyes asked Ms. Berger-Gaston if the case manager would be only for the Village of Patchogue residents. Ms. Berger-Gaston stated yes.

M. Russo stated that she could think of at least two seniors on our program that could benefit from this service.

Member Wachsmuth asked if the \$5,000 would pay the person to administer it. M. Russo stated that we would be contracting with the Family Service League and they would handle everything related with that individual. M. Russo stated that was the amount they need to provide that service.

Chair Reese thanked Ms. Berger-Gaston.

ii. Bay Avenue Community Center -report by M. Russo

M. Russo stated that we had received a letter from McClave engineering recommending awarding bid to Carter-Melence as the lowest qualified bidder. M. Russo stated that there were three bids received and the low bidder failed to include an allowance for \$5,000 so they had provided a letter withdrawing their bid.

Discussion ensued.

Motion by Member Swinson and Member Wachsmuth to award the project for rehabilitation of the bathrooms at 380 Bay Avenue Community Center to Carter-Melence of Sound Beach with a base bid of \$28,461.00.

iii. Bay Avenue Sidewalk Project - report by M. Russo

M. Russo presented the invoice from Jadeco Construction for \$60,315.56.

Motion by Member Dean and Member Swinson authorizing the Executive Director to pay the invoice of Jadeco Construction Corp. for the sidewalks on Bay Avenue in the sum of \$60,315.56.

Discussion ensued.

Motion by Member Keyes and Member Wachsmuth authorizing the Executive Director to pay a further invoice of Jadeco Construction for the remainder of the project for a sum not to exceed \$2,054.44 upon completion of the remainder of the project.

iv. Façade Improvement Program - report by M. Russo

M. Russo stated the Board had previously approved having Sal DiCristo of TNS Construction Corp. to act as construction inspector for this project for an amount not to exceed \$2,000. M. Russo asked the Board for approval to pay the presented invoice.

Discussion ensued.

Motion by Member Wachsmuth and Member Dean approving payment of the invoice of TNS Construction in the sum of \$2,000.

v. Roe Walkway - report by M. Russo

M. Russo stated that she was waiting for signed contracts from Suffolk County Economic Development Office.

Discussion ensued.

Motion by Member Swinson and Member Wachsmuth awarding the Roe

Walkway project to H&A Landscaping of Long Island subject to receipt of fully signed contracts from the County of Suffolk Economic Development Office for a grant in the sum of \$100,000 toward the project costs.

vi. Bandshell - report by Member Keyes

Member Keyes stated that he had received estimates for security cameras. Member Keyes stated that one of the estimates is from the company the Beach Club uses but they were not satisfied with them. Member Keyes stated that another estimate was from ADT and they came in approximately \$11,000. Member Keyes stated that M. Russo had suggested to get an estimate from the company that installed the cameras in Village Hall.

M. Russo stated that she spoke with Anne Marie Monte, Deputy Treasurer and she advised her of the contractor who installed the cameras and alarm system in Village Hall and if we would work with one of the three companies the Village has contracts with for the different facilities then we would use the same central station and that would be beneficial.

Member Keyes stated that he would contact them.

Discussion ensued.

vii. Shorefront Park Playground- report by M. Russo.

M. Russo stated we have \$15,499.16 remaining in the playground budget and she spoke with Maria Hendrickson of the Parks Department, and they would be discussing the best way to use those funds. M. Russo stated there has been requests having additional swings and perhaps exercise equipment, benches and fencing. M. Russo stated that it was all open and fencing around the playground would keep small children from running away.

M. Russo stated that when she had a proposal she would present it to the Board.

Board was concerned of the aesthetics of the chain link fence.

Discussion ensued regarding safety having a fence.

4. Section 8

i. Utilization Report – report by M. Russo

M. Russo stated that for September we used 96% of our funding and that we were looking to either absorb or select families from the waiting list.

Discussion ensued.

ii. Waiting list - report by M. Russo

M. Russo stated that Nadia Iniguez sent the Board a memo regarding the status of the waiting list. M. Russo stated that there was 234 people responded and remain on the waiting list, 306 notices were returned to sender and 466 notices have not responded.

iii. M. Russo presented the Civil Rights Certification that had to be submitted to the Department of Housing and Urban Development certifying that the Patchogue CDA will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the American Disabilities Act of 1990, and will affirmatively further fair housing.

Motion by Member Wachsmith and Member Dean to authorize the Chair of the CDA to execute the Civil Rights Certification that had to be submitted to the Department of Housing and Urban Development certifying that the Patchogue CDA will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the

Rehabilitation Act of 1973, and title II of the American Disabilities Act of 1990, and will affirmatively further fair housing.

5. Public Authority:

- i. Transfer of Railroad Avenue Property – M. Russo stated that we had received from the County of Suffolk a transfer of real property and the deed indicated that we had to use it for affordable housing purpose within three years. M. Russo stated that we had the option to transfer the property to a non-for-profit at no fee and let them develop the property. M. Russo stated that the property was located within the Clare Rose Development was taking place. M. Russo stated that the developers were RAM Associates and they were working with Long Island Housing Partnership who would be the non-for-profit entity.

M. Russo read the resolution into record as follows:

**A RESOLUTION AUTHORIZING THE DISPOSITION TO THE LONG ISLAND HOUSING PARTNERSHIP FOR DEVELOPMENT OF FOUR UNITS OF AFFORDABLE, WORKFORCE HOUSING, ON REAL PROPERTY LOCATED AT 72 RAILROAD AVENUE, IDENTIFIED ON THE SUFFOLK COUNTY LAND AND TAX MAP AS DISTRICT 0204, SECTION 013.00, BLOCK 03.00, LOT 020.000, AND THE TAKING OF RELATED ACTION.**

**WHEREAS**, the Village of Patchogue Community Development Agency (the “Agency”) is the owner of certain real property located at 72 Railroad Street, Patchogue, New York, identified on Suffolk County Land and Tax Map (the “Map”) as District 0204, Section 013.00, Block 03.00, Lot 020.00 (the “Premises”); and

**WHEREAS**, the Premises are located less than one block west of the Revised South Ocean Avenue Community Improvement Area (the “Area”) as identified in the Village of Patchogue (the “Village”) Revised South Ocean Avenue Community Improvement Plan (the “Plan”), prepared in March 1988 and adopted by the Village Board of Trustees (the “Board”) at its meeting held on July 25, 1988 and renewed and expanded at its meeting of October 12, 1998; and

**WHEREAS**, the Agency wishes to sell the Premises to the Long Island Housing Partnership, 180 Oser Avenue, Hauppauge, New York (the “Redeveloper”), and the Redeveloper wishes to purchase the Premises from the Agency for the purpose of developing four (4) affordable workforce housing units (the “Minor Project”) as part of an overall development of One Hundred Sixty Three (163 ) such units (the “Related Project”) undertaken by the RAM Associates, LLC (“RAM”) (the “Project” or the “Action”); and

**WHEREAS**, as a developer of approximately 1,000 units of affordable, workforce housing over a 20 year period, the Redeveloper is hereby designated a qualified and eligible sponsor pursuant to General Municipal Law §507 (2) (d); and

**WHEREAS**, construction of the Minor Project would effectuate the purposes of the Plan by upgrading and improving the edges of the Area, and stimulating increased employment, retail and service establishments in the Area; and

**WHEREAS**, the sale of the Premises by the Agency to the Redeveloper to effectuate the Plan (the “Proposed Property Disposition”) will be made in exchange for payment (the “Purchase Price”) of the sum of \$1.00 plus attorney’s fees incurred by the Agency in connection with the Proposed Property Disposition (“Attorney’s Fees”), payable at closing (the “Closing”); and

**WHEREAS**, the Agency is subject to the Public Authorities Accountability Act of 2005 and the Public Authorities Reform Act of 2009 (together, the “Act”), which permits the disposal of property by negotiation without publicly advertising for bids if the action is otherwise authorized by law, and provides for the disposal of property at less than fair market value if the property is within the purpose, mission or governing statute of the public authority and the board of the public authority determines that there is no reasonable alternative to the proposed below-market transfer that would achieve the same purpose of such transfer; and

**WHEREAS**, pursuant to Section 20 of the Act, the members of the Agency (the

“Members”), by resolution, have adopted Agency Guidelines for the Disposition of Property (the “Guidelines”); and

**WHEREAS**, pursuant to General Municipal Law § 680-b, the purposes, powers and duties of a municipal urban renewal agency pursuant to Articles 15 and 15-A of the General Municipal Law, including, without limitation, the replanning, reconstruction, rehabilitation, conservation or renewal of substandard, insanitary, blighted, deteriorated or deteriorating conditions, for residential purposes have been granted to the Agency; and

**WHEREAS**, by reducing blight through the redevelopment of the Property for affordable, workforce housing, the Proposed Property Disposition to the Redeveloper for the development of the Project will achieve the purposes and mission of the Agency pursuant to its governing statute, thereby justifying the disposition of the Premises for less than fair market value pursuant to Section 20-a (7) (b) of the Act; and

**WHEREAS**, the Premises was transferred to the Agency by a deed granted by Suffolk County dated March 3, 2009, and it is a condition of any transfer of the Premises by the Agency that it be used for the development of affordable housing, which must be achieved within three (3) years of the date of the deed (the “Redevelopment Period”); and

**WHEREAS**, the Premises is landlocked within a property assemblage controlled by the Redeveloper and RAM Associates, LLC, making it unlikely it will be purchased and developed by any other developer as affordable housing;

**WHEREAS**, by including the Premises as part of the Major Project, it will result in the development of affordable housing thereon within the Redevelopment Period; and

**WHEREAS**, based upon the foregoing, the Members have determined that there is no reasonable alternative to the proposed below- market transfer that would achieve the same purpose of the Proposed Property Disposition, namely, the development of affordable housing; and

**WHEREAS**, insofar as the Proposed Property Disposition will be made to the Redeveloper as a qualified and eligible sponsor to effectuate the purposes of the Plan pursuant to General Municipal Law §556 (2), and is in accordance with the Agency’s Guidelines for Property Disposition, the Proposed Property Disposition complies with Section 20 of the Act; and

**WHEREAS**, it is required that the Action be reviewed pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act (“SEQRA”) as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

**WHEREAS**, by Resolution No. \_\_\_ - \_\_\_, adopted at its meeting held on September, 2010, the Board established the Village as lead agency, and determined that the Action would not have an adverse impact upon the environment pursuant to the SEQRA Regulations, thereby completing the SEQRA review process ; and

**WHEREAS**, Agency staff recommends designation of the Redeveloper as a qualified and eligible sponsor, and the Proposed Property Disposition, subject to the publication of a notice in a newspaper of general circulation within the Village of the price or rental to be paid for the Property and all other essential terms and conditions of such disposition pursuant to General Municipal Law §§507 (2) (c) 1 and (2) (d) (“Publication of Notice”), and the approval of the Village Trustees of the Redeveloper as a qualified and eligible sponsor and of the Proposed Property Disposition (the “Staff Recommendation”); and

**WHEREAS**, the Members wish to authorize and adopt the Staff Recommendation.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Members hereby authorize and adopt the Staff Recommendation; and it is further

**RESOLVED**, that the Executive Director of the Agency and any other officer thereof is hereby authorized to execute such instruments and documents and to take such other action as

may be necessary to carry out the foregoing, including, without limitation, the (i) Publication of Notice, (ii) notifying the Village Trustees of the Members' designation of the Redeveloper as a qualified and eligible sponsor and of the Proposed Property Disposition, and requesting their approval of same pursuant to General Municipal Law §§507 (2) (c) 1 and (2) (d), and (iii) providing to the New York State Authority Budget Office a written explanation of the circumstances involving the disposition of the Premises to the Village prior to the scheduled date of the Proposed Property Disposition.

Motion by D. Wachsmuth and E. Swinson to approve resolution. Motion was carried.

6. Other Business – none

7. Public to be heard - none

- i. Motion to adjourn by Members Swinson and Member T. Dean; motion carried.  
Meeting adjourned at 8:30 pm.

Respectfully submitted,

Marian H. Russo, Executive Director