

**NASSAU COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY**

**APPLICATION FOR FINANCIAL ASSISTANCE**

**APPLICATION OF:**

**Town of North Hempstead / Spinney Hill Homes**

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Please respond to all questions in this Application for Financial Assistance (the "Application") by, as appropriate:

- filling in blanks;
- checking the applicable term(s);
- attaching additional text (with notation in Application such as "see Schedule H, Item # 1", etc.); or
- writing "N.A.", signifying "not applicable".

All attachments responsive to questions found in this Application should be clearly labeled and attached as Schedule H to the Application. If an estimate is given, enter "EST" after the figure. One signed original and 9 copies of the Application (including all attachments) must be submitted.

A \$1,000 non-refundable Application Fee is required at the time the Application is submitted to the Nassau County Industrial Development Agency (the "Agency"). The Application Fee will not be credited against any other fees or expenses which are or become payable to the Agency in connection with this Application or the project contemplated herein (the "Project").

**Every signature page comprising part of this Application must be signed by the Applicant or this Application will not be considered complete or accepted for consideration by the Agency.**

Information provided herein may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 *et seq.*) ("FOIL"). If the Applicant believes that a portion of the material submitted with this Application is protected from disclosure under FOIL, the Applicant should mark the applicable section(s) or page(s) as "confidential" and state the applicable exception to disclosure under FOIL.

**March 1, 2007**

Rev. 8/06

**PART I. APPLICANT**

A. APPLICANT FOR FINANCIAL ASSISTANCE (If more than one applicant, copy application and complete for each applicant):

Name: North Hempstead Housing Authority ("NHHA") / Spinney Hill Homes

Address: Pond Hill Road, Great Neck NY 11020

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Primary

Contact: David J. Gallo

Phone: 516-352-6100

Fax: 516-352-2102

E-Mail: gallo@whitneycap.com

NY State Dept. of

Labor Reg #: Not Available Federal Employer ID #:

B. BUSINESS TYPE (Check applicable status. Complete blanks as necessary):

Sole Proprietorship \_\_\_ General Partnership \_\_\_ Limited Partnership \_\_\_

Limited Liability Company \_\_\_ Privately Held Corporation \_\_\_

Publicly Held Corporation \_\_\_ Exchange listed on \_\_\_\_\_

Not-for-Profit Corporation

Income taxed as: Subchapter S \_\_\_ Subchapter C \_\_\_ Other: Government Entity  
501(c)(3) Corporation \_\_\_ Partnership \_\_\_

State and Year of Incorporation/Organization: New York State / To be determined

Qualified to do Business in New York: Yes  No \_\_\_ N/A \_\_\_

C. ANY ENTITY PROPOSED TO BE A USER OF THE PROJECT:

Name: Spinney Hill Homes, L.L.C (a to be formed Limited Liability Company)

Relationship to Applicant:

**The site is owned by the NHHA and upon closing will be conveyed to a limited partnership, the sole general partner of which will be a not for profit housing development fund corporation sponsored by NHHA.**

APPLICANT ACCOUNTANT (subject to Agency approval):

Firm name: Hymanson, Parnes & Giampaolo

Address: 467 Middletown-Lincroft Rd.

Phone: 732-842-4550

Fax: 732-842-4551

E-Mail: \_\_\_\_\_

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D. APPLICANT COUNSEL (subject to Agency approval):

Firm name: Berkman, Henoch, Peterson & Peddy, P.C

Address: 100 Garden City Plaza

Garden City, N.Y. 11530

Phone: 516-222-6200

Fax: 516-222-6209

E-Mail: M.Milgrom@BHPP.COM

- E. Principal stockholders, members or partners, if any (i.e., owners of 5% or more of equity/voting rights in Applicant): **Not available at this point in time and will be provided at a later date.**

<u>Name</u>	<u>Percentage owned</u>
_____	_____ %
_____	_____ %
_____	_____ %

- F. If any of the persons described in the response to the preceding Question, or a group of said persons, owns more than a 50% interest in the Applicant, list all other entities which are related to the Applicant by virtue of such persons having more than a 50% interest in such entities: **Not available at this point in time and will be provided at a later date.**

- G. Is the Applicant related to any other entity by reason of more than 50% common ownership? If YES, indicate name of related entity and relationship:

YES

NO

- 
- H. List parent corporation, sister corporations and subsidiaries, if any: **North Hempstead Housing Authority and the Town of North Hempstead.**

I. (To be completed only if Applicant is seeking tax-exempt bond financing)

1. Has the Applicant (or any related entity or person) been involved in, applied for or benefitted by any prior industrial development financing in the municipality in which this Project is located, whether by the Agency or another issuer, or in a contiguous municipality? ("Municipality" herein means city, town or village, or, if the Project is not in an incorporated city or village, Nassau County.) If YES, describe:

YES \_\_\_

NO X

2. Has the Applicant (including any related entity or person) received or benefited from within the past six months, or is contemplating to receive or benefit from within the next six months, tax-exempt financing anywhere within the United States? If YES, describe:

YES \_\_\_

NO X

3. Will the proposed bond issue, when combined with all other outstanding industrial development bond issues of the Applicant or any related entity, exceed the aggregate principal amount of \$40,000,000?

YES \_\_\_

NO X

4. Is the Applicant seeking federal tax-exempt bonds as a manufacturing facility?

YES \_\_\_

NO X

If YES, complete the attached Tax-Exempt Bond Manufacturing Questionnaire (Schedule A) and provide an estimate of the capital expenditures of the Applicant, and its affiliates and subsidiaries in Nassau County, during the past three years:

\$ \_\_\_\_\_

- J. Has the Applicant (including any related entity or person) made a public offering or private placement of its stock within the last year? If YES, attach a copy of the Prospectus or Offering Statement used in connection with the offering or placement.

YES \_\_\_

NO X

K. List the major bank references of the Applicant including name, address and phone number of bank contact: **Please Exhibit 1 – References.**

L. Is the Applicant (including any related entity or person) or any principal(s) of the Applicant or its related entities involved in any litigation that would have a material adverse effect on the Applicant's financial condition or the financial condition of said principal(s)? If YES, attach details.

YES \_\_\_

NO **X**

M. Has the Applicant (or any related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, ever been involved, as debtor, in bankruptcy, creditors rights or receivership proceedings or sought protection from creditors? If YES, attach details.

YES \_\_\_

NO **X**

N. Has the Applicant (or any related entity or person) or any principal(s) of the Applicant or its related entities, ever been charged with or convicted of any felony or misdemeanor (other than minor traffic offenses), or have any such related persons or principal(s) held positions or ownership interests in any firm or corporation charged or convicted of a felony or misdemeanor (other than minor traffic offenses)? If YES, attach details.

YES \_\_\_

NO **X**

O. Has the Applicant (or any related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, been cited for a violation of federal, state or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or other operating practices? If YES, attach details.

YES \_\_\_

NO **X**

P. Complete the following information for principals (including, in the case of corporations, officers and members of the board of directors and, in the case of limited liability company, members and managers) of the Applicant: - **N.A.**

<u>Name</u>	<u>Title</u>	<u>Social Security #</u>	<u>Other Business Affiliations</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Do any of the foregoing principals hold elected or appointive public positions? If YES, attach details.

YES \_\_\_

NO X

Are any of the foregoing principals employed by any federal, state or local municipality or any agency, authority, department, board, or commission thereof or any other governmental or quasi-governmental organization?

YES \_\_\_

NO X

Q. Operation at existing location(s) (Complete separate Section R for each existing location): **The North Hempstead Housing Authority utilizes multiple staff members for all of these properties. There are no staff members specifically assigned to Spinney Hill Homes.**

1. (a) Location: Pond Hill Road
- (b) Number of Employees: Full-Time: \_\_\_\_\_ Part-Time: \_\_\_\_\_
- (c) Annual Payroll, excluding benefits: \_\_\_\_\_
- (d) Type of operation (e.g. manufacturing, wholesale, distribution) and products or services: Real Estate
- (e) Size of existing facility real property (i.e., acreage of land): 7.2 Acres
- (f) Buildings (number and square footage of each): 10 Buildings (Please see attached drawings for more details.
- (g) Terms of use of facility.  
FEE TITLE (i.e. own)      LEASE      OTHER (describe below)  
**FEE TITLE**
- (h) If Applicant leases, state annual rent and lease expiration date: N.A
- (i) Standard Industrial Code (SIC) Number: 6513

2. If any of the facilities described above are located within the State of New York, is it expected that any of the described facilities will be closed or be subject to reduced activity? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES \_\_\_

NO X

R. Has the Applicant considered moving to another state or another location within New York State? If YES, explain circumstances.

YES \_\_\_

NO

- 
- S. Does any one supplier or customer account for over 50% of Applicant's annual purchases or sales, respectively? If YES, attach name and contact information for supplier and/or customer, as applicable:

YES \_\_\_

NO

- T. Describe any labor union affiliation of the Applicant and/or the Applicant's employees:

N.A.

- U. Does the Applicant (including any related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, have any contractual or other relationship with the Agency or the County of Nassau? If YES, attach details.

YES \_\_\_

NO

- V. Attach a brief history of the Applicant and its business/operations. Please see **Exhibit 2**.

**PART II. PROPOSED PROJECT**

- A. Type of financial assistance requested (Check One or More):

TAX-EXEMPT BONDS  TAXABLE BONDS \_\_\_ STRAIGHT LEASE \_\_\_

- B. Briefly describe the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

**Spinney Hill Homes is a New York State owned Public Housing Project built in 1950. The project consists of 102 units spread over 7.2 acres. The site also houses the North Hempstead Housing Authority ("NHHA") offices. The redevelopment of Spinney Hill Homes continues the NHHA's strategy strongly supported by the Town of North Hempstead, of preserving affordable housing in Nassau County, a goal high on the housing strategy of the County.**

**Currently the property is in an advanced state of deterioration. However, do to the limited availability of affordable housing in the area, the project has been historically occupied. If the rehabilitation is not completed in the near term, these**

**much needed units will become inhabitable and will further add to the housing problems in North Hempstead. A complex financing structure, including tax credits, subsidy provided by the state and county in addition to the tax exempt bonds are required to make the projects sustainable.**

- C. If the Applicant is unable to arrange financing for the Project, what will be the impact on the Applicant and Nassau County? Would the Applicant proceed with the Project without Agency financing or other Agency assistance? Describe.

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**The development uses existing housing as part of a community revitalization plan to preserve affordable housing currently serving the needs of the residents of North Hempstead and Nassau County. There is an insatiable demand for affordable housing in Nassau County. Should the financing structure described in the previous question not be implemented the NHHA has no viable option for providing this housing.**

- D. Location of Project (attach map showing the location):

Street Address:

Pond Hill Road

City/Village(s):

Great Neck

Town(s):

Great Neck

School District(s):

Great Neck

**Section: 2    Block: 347    Lot: 22**

If exact street address is not available, please provide a survey and the most precise description available.

- E. Describe proposed Project (attach copies of preliminary plans or sketch of proposed renovation and/or construction).
1. Real Property (acreage): 7.2 Acres
  2. Building(s):



- (a) Existing Building(s) (number of buildings and number of floors and square footage of each building):

**Please see attached site plan.**

- (b) Does the Project consist of an addition and/or renovations to existing buildings? If YES, indicate nature of expansion and/or renovation.

YES X

NO \_\_\_\_\_

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**Please see attached architectural drawings.**

- (c) Does the Project consist of new construction? If YES, indicate the number of buildings and square footage of each building:

YES \_\_\_\_\_

NO X

- (d) Builder or Contractor Name and Address:

**Mr. Andrew Zucaro**

**Zucaro Construction LLC**

**3-1 Park Plaza, Suite 114**

**Old Brookville, NY 11545**

- (e) Architect Name and Address:

**Mr. John Scarlata**

**JMS Architect and Planner, P.C.**

**485 Underhill Blvd, Suite 103**

**Syosset, New York 11791**

3. Describe the present use of the Project site: **102 Units of NYS Public Housing**

- (a) (a) What are the current real estate taxes on the Project? (If amount of current taxes is not available, provide assessed value for each): **To be provided at a later date.**

Land: \$ \_\_\_\_\_ Building(s): \$ \_\_\_\_\_

- (b) Are tax certiorari proceedings currently pending with respect to the Project real property? If YES, attach details including copies of pleadings, decisions, etc.

YES \_\_\_

NO X

- F. Describe Project ownership structure (*i.e.*, Applicant or other entity):

**In November 2006, Whitney Capital Company was selected as the turnkey developer by the NHHA to rehabilitate the existing 102 units. Implementation of the Spinney Hill Homes project will be similar to that utilized for Pond View, Laurel Homes and Harbor Homes public housing projects. The North Hempstead Housing Authority is the current owner of Spinney Hill Homes. Legislation enacted in 1998 (Regular Session Chapter 230) permitted the sale or lease of Pond View, Laurel Homes, Harbor Homes and Spinney Hill Homes for the sole purpose of rehabilitation or reconstruction, provided the units remain affordable to low income individuals and families. To redevelop the project, the site will be conveyed to a limited partnership, the sole general partner of which will be a not for profit housing development fund corporation sponsored by NHHA.**

- G. To what purpose will the building or buildings to be acquired, constructed or renovated be used by the Applicant? (Include description of goods to be sold, products to be manufactured, assembled or processed and services to be rendered.)

**Spinney Hill Homes is a New York State owned Public Housing Project built in 1950. The project consists of 102 units spread over 7.2 acres. The site also houses the North Hempstead Housing Authority ("NHHA") offices. The redevelopment of Spinney Hill Homes continues the NHHA's strategy strongly supported by the Town of North Hempstead, of preserving affordable housing in Nassau County, a goal high on the housing strategy of the County.**

- H. If any space in the Project is to be leased to or occupied by third parties, or is currently leased to or occupied by third parties who will remain as tenants, provide the names and contact information for each such tenant, indicate total square footage of the Project to be leased to each tenant, and describe proposed use by each tenant:

**Spinney Hill Homes also houses the offices of the North Hempstead Housing Authority. The approximate square footage for the offices are 2200 square feet.**

- I. Provide, to the extent available, the information requested, in Part I, Questions A, B, F and Q, with respect to any party described in the preceding response.

N.A.

- J. List principal items or categories of equipment to be acquired as part of the Project:

N.A.

- K. Will Project meet zoning/land use requirements at proposed location?

YES X

NO \_\_\_

1. Describe present zoning/land use: Residence-Public Housing District
2. Describe required zoning/land use, if different: N.A.
3. If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements:

L. Does the Applicant, or any related entity or person, currently hold a lease or license on the Project site? If YES, please provide details and a copy of the lease/license.

YES \_\_\_

NO X

M. Does the Applicant, or any related entity or person, currently hold fee title to (i.e. own) the Project site?

YES X

NO \_\_\_

If YES, indicate:

- (a) Date of purchase: Constructed in 1950
- (b) Purchase price: N.A.
- (c) Balance of existing mortgage, if any: \$0
- (d) Name of mortgage holder: N.A.
- (e) Special conditions: N.A.

If NO, indicate name of present owner of Project site:

N. Does the Applicant or any related person or entity have an option or a contract to purchase the Project site and/or any buildings on the Project site?

**Please see Exhibit 3 – Site Control Documentation.**

YES X

NO \_\_\_

If YES, attach copy of contract or option and indicate:

- (a) Date signed: February 15, 2007
- (b) Purchase price: \$7,815,000
- (c) Closing date: TBD

Is there a relationship legally or by virtue of common control or ownership between the Applicant (and/or its principals) and the seller of the Project (and/or its principals)?  
If YES, describe:

YES

NO

- O. Will customers personally visit the Project site for either of the following economic activities? If YES with respect to either economic activity indicated below, complete the attached Retail Questionnaire (Schedule E).
- 

Retail Sales: YES  NO

Services: YES  NO

- P. Is the Project site served by:

Water Yes Electric Yes

Gas Yes Sanitary/Storm Sewer Yes

- Q. If the proposed project is a "straight-lease transaction", will any portion of the costs of the Project be financed from sources other than the Applicant's equity? If YES, provide details including the name, address and contact information for the provider of such financing and generally describe the anticipated terms of and the collateral for such financing.

YES

NO

### PART III. PROJECT COSTS

- A. Provide an estimate of cost of all items listed below:

	<u>Item</u>	<u>Cost</u>
1.	Land Acquisition	\$2,160,000
2.	Building Acquisition	\$5,655,000
3.	Construction or Renovation	\$17,340,300
4.	Site Work	\$1,875,000
5.	Engineering Fees	\$
6.	Architectural Fees	\$790,000
7.	Applicant's Legal Fees	\$200,000
8.	Financial Fees (incl. lender legal fees)	\$770,795
9.	Other Professional Fees	\$60,000
10.	Furniture, Equipment & Machinery	\$125,000
11.	Other Soft Costs (describe)	540,200

12. Other (describe) Developers Fee \$4,970,444

Total \$34,486,739

B. Funds required: \$1,500,000 Financing term desired: 30 Year Amort

C. Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? If YES, describe particulars on a separate sheet.

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**Predevelopment costs incurred for the project include architectural expenses, an environmental report, a market study and an appraisal.**

YES X NO \_\_\_

D. Are items of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of the bond proceeds (if applicable)? If YES, provide details:

YES X NO \_\_\_

**The project currently has \$150,000 set aside for Working Capital expenses in the development budget. It is possible that a portion of this total amount will be funded with the tax exempt bond proceeds issued for this redevelopment project.**

E. Will any of the funds to be borrowed through the Agency's issuance of bonds, if applicable, be used to repay or refinance an existing mortgage, outstanding loan or an outstanding bond issue? If YES, provide details:

YES \_\_\_ NO X

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F. What portion, if any, of the cost of the Project is to be financed from funds of the Applicant, or other than from the proposed Project financing? Provide details:

96%

**The funding sources in addition to the tax exempt mortgage being requested through this application include a taxable mortgage, 9% and 4% tax credit equity proceeds, Nassau County HOME Funds grant, DHCR Modernization Funds, Weatherization Funds, New York Federal Home Loan Bank, and developer equity.**

G. Has the Applicant made any arrangement for the marketing or the purchase of the bonds or the provision of other third party financing? If YES, indicate with whom (subject to Agency approval).

YES \_\_\_

NO X

H. Has the Applicant made any arrangements for a bond trustee? If YES, indicate with whom (subject to Agency approval).

YES \_\_\_

NO X

**PART IV. COST/BENEFIT ANALYSIS**

A. If the Applicant presently operates in Nassau County, provide the current annual payroll, excluding benefits. Estimate payroll, excluding benefits, in First Year and Second Year after completion of the Project. N.A.

	<u>Present</u>	<u>First Year</u>	<u>Second Year</u>
Full-time:	\$	\$	\$
Part-time:			
Seasonal:			
Total Annual Payroll:	\$	\$	\$

Please note that the Agency may utilize the foregoing employment projections and the projections set forth in Schedule C, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to maintain the number of jobs, types of occupations and amount of payroll with respect to the Project set forth in this Application.

B. Does the Applicant intend to employ new additional employees at the proposed Project site, or will Applicant transfer current employees from existing location(s)? If YES, describe:

YES

NO

C. What, if any, is the anticipated increase in the dollar amount of production, sales or services rendered as a result of the Project? N.A

\_\_\_\_\_ %

D. Describe, if applicable, other benefits to the County anticipated as a result of the Project:

**Please see Exhibit 4 – Community Needs Strategy.**

E. Costs to the County and affected municipalities:

Estimated Value of Sales Tax Exemption: \$674,043

Estimated Value of Mortgage Tax Exemption: \$30,000

Estimated Property Tax Exemption: \$TBD

Estimated Interest Savings: \$350,000

**PART V. PROJECT CONSTRUCTION SCHEDULE**

A. Has construction work on the Project begun? If YES, indicate the percentage of completion:

- |    |                               |                              |  |                  |
|----|-------------------------------|------------------------------|--|------------------|
| 1. | (a) Site clearance            | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 ___ % complete |
|    | (b) Environmental Remediation | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 ___ % complete |
|    | (c) Foundation                | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 ___ % complete |
|    | (d) Footings                  | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 ___ % complete |
|    | (e) Steel                     | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 ___ % complete |
|    | (f) Masonry                   | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 ___ % complete |

(g) Interior YES \_\_\_ NO X 0 \_\_\_% complete

(h) Other (describe below): YES \_\_\_ NO X 0 \_\_\_% complete

2. If NO to all of the above categories, what is the proposed date of commencement of construction, renovation or acquisition of the Project?

**Acquisition and construction is expected to commence in December 2007.**

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- B. Provide an estimate of time schedule to complete the Project and when the first use of the Project is expected to occur (attach additional sheet if necessary):

**Please see attached.**

At what date(s) and in what amount(s) is it estimated that funds will be required?

**It is estimated that funds will be required in December 2007.**

#### **PART VI. ENVIRONMENTAL IMPACT**

- A. What is the expected environmental impact of the Project? (Complete the attached Environmental Form (Schedule G)).

**There is no environmental impact for this project.**

- B. Is an environmental impact statement required by Article 8 of the N.Y. Environmental Conservation Law (i.e., the New York State Environmental Quality Review Act)?

YES \_\_\_

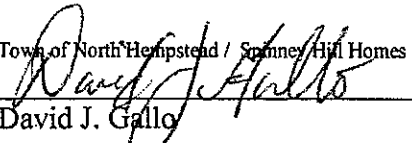
NO X

- C. Please be advised that the Agency may require at the sole cost and expense of the Applicant the preparation and delivery to the Agency of an environmental report in form and scope satisfactory to the Agency, depending on the responses set forth in the Environmental Form. If an environmental report has been or is being prepared in connection with the Project, please provide a copy.



- D. The Applicant authorizes the Agency to make inquiry of the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.
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THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of  
Applicant: Town of North Hempstead / Spinnec Hill Homes  
Signature:   
Name: David J. Gallo  
Title: Vice President of Whitney Capital Company  
Date: March 5, 2007

**RULES AND REGULATIONS OF THE NASSAU COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY**

The Nassau County Industrial Development Agency (the "Agency"), in order to better secure the integrity of the projects it sponsors, declares that it is in the public interest (i) to ensure the continuity of such projects and the jobs created by such projects, (ii) to prevent the conversion of the use of the premises upon which a sponsored project is to be constructed or renovated and (iii) to limit and prevent unreasonable profiteering or exploitation of a project, and does hereby find, declare and determine as follows:

**FIRST:**

Upon the approval of a sponsored project, the Agency shall take title to, or acquire a leasehold or other interest in, all premises upon which an Agency sponsored project is to be constructed or renovated, and shall lease, sublease, license, sell or otherwise transfer the premises to the Applicant for a term to be determined by the Agency.

At such time as, among other things, the Applicant fails to maintain or create the jobs as represented in the Application or changes the use of the project or ownership of the project or the Applicant during the life of the project in a manner inconsistent with the Application, and such employment default or change of use or ownership does not meet with the prior written approval of the Agency, a recapture of benefits may be required to be paid by the Applicant to the Agency. The amount and sufficiency (with respect to a particular applicant) of the applicable recapture of benefits payment shall be determined by the Agency and shall be set forth in the bond or straight lease documents.

**SECOND:**

At such time as a proposed Project is reviewed, the members of the Agency must disclose any blood, marital or business relationships they or members of their families have or have had with the Applicant (or its affiliates). The Applicant represents that no member, manager, principal, officer or director of the Applicant has any such relationship with any member of the Agency (or any member of the family of any member of the Agency).

**THIRD:**

All applicants must disclose whether they have been appointed, elected or employed by New York State, any political division of New York State or any other governmental agency.

**FOURTH:**

All proposed underwriters, credit enhancers (including banks and bond insurance companies), trustees, title companies and their respective attorneys must be satisfactory to and approved in writing by the Agency.

Understood and Agreed to: Name of  
Applicant: North Hempstead Housing Authority / Spinney Hill Homes

By: David J. Gallo  
Name/Title: David J. Gallo / Vice President of Whitney Capital Company

**CERTIFICATION AND AGREEMENT  
WITH RESPECT TO FEES AND COSTS**

The undersigned deposes and says: that I am an authorized representative of the Applicant named in the attached application for financial assistance ("Application") and that I hold the office specified below my signature at the end of this Certification and Agreement, that I am authorized and empowered to deliver this Certification and Agreement and the Application for and on behalf of the Applicant, that I am familiar with the contents of said Application (including all schedules and attachments thereto), and that said contents are true, correct and complete to my knowledge. Capitalized terms used but not otherwise defined in this Certification and Agreement shall have the meanings assigned to such terms in the Application.

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The grounds of my belief relative to all matters in the Application that are not based upon my own personal knowledge are based upon investigations I have made or have caused to be made concerning the subject matter of this Application, as well as upon information acquired in the course of my duties and from the books and records of the Applicant.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that the Applicant hereby releases the Nassau County Industrial Development Agency, its members, officers, servants, attorneys, agents and employees (collectively, the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency harmless from and against any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the financial assistance requested therein are favorably acted upon by the Agency, (B) the acquisition, construction and/or installation of the Project by the Agency, and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, (i) all fees and expenses of the Agency's general counsel, bond/transactional counsel and independent tax assessor (if deemed necessary or advisable by the Agency), and (ii) all other expenses incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails within a reasonable or specified period of time to take reasonable, proper or requested action or withdraws, abandons, cancels, or neglects the Application or if the Applicant is unable to find buyers willing to purchase the total bond issue required or is unable to secure other third party financing or otherwise fails to conclude the Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that each of the Agency's general counsel, bond/transactional counsel and independent tax assessor is an intended third-party beneficiary of this Certification and Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of the immediately preceding paragraph, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application.

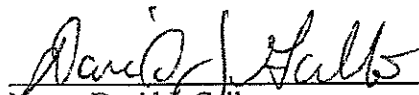
Upon successful conclusion of the required bond issue or other form of financing or Agency assistance, the Applicant shall pay to the Agency an administrative fee set by the Agency (which amount is payable at closing) in accordance with the following schedule:

- (A) Taxable Bond Issues – Six-tenths (6/10) of one percent (1%) for the first twenty million dollars (\$20,000,000) of total project costs and, if applicable, two-tenths (2/10) of one percent (1%) for any additional amounts in excess of twenty million dollars (\$20,000,000) of total project costs.
- (B) Tax-Exempt Bond Issues – Six-tenths (6/10) of one percent (1%) of total project costs.
- (C) Straight-Lease Transactions – Six-tenths (6/10) of one percent (1%) for the first twenty million dollars (\$20,000,000) of total project costs and, if applicable, two-tenths (2/10) of one percent (1%) for any additional amounts in excess of twenty million dollars (\$20,000,000) of total project costs.
- (D) All Transactions - Two Thousand Five Hundred Dollars (\$2,500) closing compliance fee payable at closing and One Thousand Dollars (\$1,000) per year (or part thereof) administrative fee, payable in advance, at the closing for the first year (or part thereof) and on January 1st of each year for the term of the financing. The annual service fee is subject to periodic review and may be adjusted from time to time in the discretion of the Agency.

The Agency's bond/transactional counsel's fees and the administrative fees may be considered as a cost of the Project and included as part of any resultant financing, subject to compliance with applicable law.

Upon the termination of the financing of the Project, Applicant agrees to pay all costs in connection with any conveyance by the Agency to the Applicant of the Agency's interest in the Project and the termination of all related Project documents, including the fees and expenses of the Agency's bond/transactional counsel, and all applicable recording, filing or other related fees, taxes and charges.

I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency shall have no liability or responsibility as a result of the inability of the Agency to issue and deliver tax-exempt bonds for the benefit of the Applicant.




Name: David J. Gallo

Title: Vice President of Whitney Capital Company

Sworn to before me this 5

day of March, 2007

  
Notary Public

282987.2

VIRGINIA STANTON  
Notary Public, State of New York  
No. 4957885  
Qualified in Nassau County  
Certificate Filed in New York County  
Commission Expires Oct. 23, 2009

TABLE OF SCHEDULES:

<u>Schedule</u>	<u>Title</u>	<u>Complete as Indicated Below</u>
A.	Tax-Exempt Bond Manufacturing Questionnaire	If Applicant checked "YES" in Part I, Question J.4 of Application (See Page 3)
<del>B.</del>	<del>New York State Financial and Employment Requirements for Industrial Development Agencies</del>	<del>All applicants</del>
C.	Guidelines for Access to Employment Opportunities	All applicants
D.	Anti-Raiding Questionnaire	If Applicant checked "YES" in Part I, Question R.2. of Application (See Page 6)
E.	Retail Questionnaire	If Applicant checked "YES" in Part II, Question O. of Application (See Page 11)
F.	Applicant's Financial Attachments, consisting of:	All applicants
	1. Applicant's audited financial statements for the last two fiscal years (unless included in Applicant's annual reports).	
	2. Applicant's annual reports (or Form 10-K's) for the two most recent fiscal years.	
	3. Applicant's quarterly reports (Form 10-Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.	
	4. In addition, attach the financial information described above in items F1, F2, and F3 of any anticipated Guarantor of the proposed financing, if different than the Applicant, including the personal financial statement of any anticipated Guarantor that is a natural person.	
	5. Dun & Bradstreet report, if applicable.	
G.	Environmental Assessment Form	All applicants
H.	Other Attachments	As required

**TAX-EXEMPT BOND MANUFACTURING QUESTIONNAIRE**

(To be completed by the Applicant if the Applicant checked "YES" in Part I, Question J.4 of the Application for Financial Assistance).

Please complete the following questions for each facility to be financed. Use additional pages as necessary.

1. Describe the production process which occurs at the facility to be financed.

\_\_\_\_\_  
\_\_\_\_\_

2. Allocate the facility to be financed by function (expressed in square footage) (e.g., production line, employee lunchroom, offices, restrooms, storage, warehouse, loading dock, repair shop, parking, research, sales, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.). Please attach blueprints of the facility to be financed.

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL

3. Of the space allocated to offices above, identify by function (e.g., executive offices, payroll, production, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.).

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL

4. Of the space allocated to storage or warehousing above, identify the square footage and location of the areas devoted to storage of the following:

<u>SQ. FOOTAGE</u>	<u>LOCATION</u>
Raw Materials used for production of manufactured goods	_____
Finished product storage	_____
<hr/>	
Component parts of goods manufactured at the facility	_____
Purchased component parts	_____
Other (specify)	_____
	_____
	TOTAL

5. List raw materials used at the facility to be financed in the processing of the finished product(s).

\_\_\_\_\_  
 \_\_\_\_\_

6. List finished product(s) which are produced at the facility to be financed.

\_\_\_\_\_  
 \_\_\_\_\_

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true and correct.

Name of Applicant: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**NEW YORK STATE FINANCIAL AND EMPLOYMENT REPORTING  
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

- A. Pursuant to applicable law, the Agency requires the completion of an Initial Employment Plan (see Schedule C) and a year-end employment plan status report, both of which shall be filed by the Nassau County Industrial Development Agency (the "Agency") with the New York State Department of Economic Development on January 15. The Project documents will require the Applicant to provide such report to the Agency on or before January 1 of each year, together with such employment verification information as the Agency may require.

Except as otherwise provided by collective bargaining agreements, the Applicant agrees to list any new employment opportunities with the New York Department of Labor Community Services Division and the administrative entity of the service delivery area created by the Federal Job Training Partnership Act (P.L. 97-300), or any successor statute thereto (the "JTPA Entities"). In addition, except as otherwise provided by collective bargaining agreements, the Applicant, where practicable, will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for such new employment opportunities.

- B. The Applicant will be required to file annually a statement with the New York State Department of Taxation and Finance and the Agency of the value of all sales or use tax exemptions claimed in connection with the Project by reason of the involvement of the Agency.
- C. Please be advised that the New York State Industrial Development Agency Act imposes additional annual reporting requirements on the Agency, and the Applicant will be required to furnish information in connection with such reporting, as follows:

1. The following information must be provided for all bonds issued, outstanding or retired during the year:

Name, address and owner of the project; total amount of tax exemptions granted (broken out by state and local sales tax, property taxes, and mortgage recording tax); payments in lieu of taxes made; total real estate taxes on the Project prior to exemption; number of jobs created and retained, and other economic benefits realized.

Date of issue; interest rate at end of year; bonds outstanding at beginning of year; bonds issued during year; principal payments made during year; bonds outstanding at end of year; federal tax status; and maturity date(s).

2. The following information must be provided for straight-lease transactions entered into or terminated during the year:

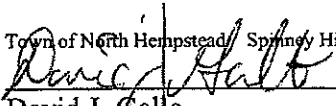
Name, address and owner of the project; total amount of tax exemptions granted (broken out by state and local sales tax, property taxes, and mortgage recording tax); payments in lieu of taxes made; total real estate taxes on the Project prior to exemption; number of jobs created and retained, and other economic benefits realized.



**Failure to provide any of the aforesaid information will be constitute a DEFAULT under the Project documents to be entered into by the Agency and the Applicant in connection with the proposed Project.**

Please sign below to indicate that the Applicant has read and understood the above and agrees to provide the described information on a timely basis.

---

Name of  
Applicant: Town of North Hempstead / Springy Hill Homes  
Signature:   
Name: David J. Gallo  
Title: Vice President of Whitney Capital Company  
Date: March 5, 2007

**GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIES**

**INITIAL EMPLOYMENT PLAN**

Prior to the expenditure of bond proceeds or the granting of other financial assistance, the Applicant shall complete the following employment plan:

Applicant Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Type of Business: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Please complete the following table describing the Applicant's projected employment plan following receipt of financing.

<u>Current and Planned Full Time Occupations</u>	<u>Current Number Full Time Equivalent Jobs Per Occupation</u>	<u>Estimated Number of Full Time Jobs After Completion of the Project</u>		
		<u>1 year</u>	<u>2 years</u>	<u>3 years</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction and/or renovation of the Project: \_\_\_\_\_.

Please indicate the estimated hiring dates for the new jobs shown above and any special recruitment or training that will be required:

\_\_\_\_\_  
 \_\_\_\_\_

Are the Applicant's employees currently covered by a collective bargaining agreement?

YES \_\_\_\_

NO \_\_\_\_

IF YES, Union Name and Local: \_\_\_\_\_

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to maintain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

Attached hereto is a true, correct and complete copy of the Applicant's most recent Quarterly Combined Withholding, Wage Reporting, and Unemployment Insurance Return (Form NYS-45-MN) (first page only). Upon request of the Agency, the Applicant shall provide such other or additional information or documentation as the Agency may require with respect to the Applicant's current employment levels in the State of New York.

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of Applicant: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ANTI-RAIDING QUESTIONNAIRE**

(To be completed by Applicant if Applicant checked "YES" in Part I, Question R.2 of the Application for Financial Assistance)

A. Will the completion of the Project result in the removal of a plant or facility of Applicant, or of a proposed occupant of the Project, from an area in New York State (but outside of Nassau County) to an area within Nassau County?

YES \_\_\_

NO \_\_\_

If the answer to Question A is YES, please provide the following information:

Address of the to-be-removed plant or facility: \_\_\_\_\_

\_\_\_\_\_

Names of all current occupants of the to-be-removed plant or facility: \_\_\_\_\_

\_\_\_\_\_

B. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant, or of a proposed occupant of the Project, located in an area of the State of New York other than in Nassau County?

YES \_\_\_

NO \_\_\_

If the answer to Question B is YES, please provide the following information:

Addresses of the to-be-abandoned plants or facilities: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Names of all current occupants of the to-be-abandoned plants or facilities:

\_\_\_\_\_

\_\_\_\_\_

C. Has the Applicant contacted the local industrial development agency at which its current plants or facilities in New York State are located with respect to the Applicant's intention to move or abandon such plants or facilities?

YES \_\_\_

NO \_\_\_

If the answer to Question C is YES, please provide details in a separate attachment.

IF THE ANSWER TO EITHER QUESTION A OR B IS "YES", ANSWER QUESTIONS D AND E.

D. Is the Project reasonably necessary to preserve the competitive position of the Applicant, or of a proposed occupant of the Project, in its industry?

YES \_\_\_

NO \_\_\_

~~E. Is the Project reasonably necessary to discourage the Applicant, or a proposed occupant of the Project, from removing such plant or facility to a location outside of the State of New York?~~

~~YES \_\_\_~~

~~NO \_\_\_~~

IF THE ANSWER TO EITHER QUESTION D OR E IS "YES", PLEASE PROVIDE DETAILS IN A SEPARATE ATTACHMENT.

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of Applicant:

\_\_\_\_\_

Signature:

\_\_\_\_\_

Name:

\_\_\_\_\_

Title:

\_\_\_\_\_

Date:

\_\_\_\_\_

**RETAIL QUESTIONNAIRE**

(To be completed by Applicant if Applicant checked either "YES" in Part II, Question O of the Application for Financial Assistance)

A. Will any portion of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) consist of facilities or property that are or will be primarily used in making retail sales to customers who personally visit the Project?

---

YES \_\_\_

NO \_\_\_

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law, or (ii) sales of a service to customers who personally visit the Project.

B. If the answer to Question A is YES, what percentage of the cost of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?

\_\_\_\_\_ %

C. If the answer to Question A is YES, and the amount entered for Question B is greater than 33.33%, indicate whether any of the following apply to the Project:

1. Will the Project be operated by a not-for-profit corporation?

YES \_\_\_

NO \_\_\_

2. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Long Island) in which the Project is or will be located?

YES \_\_\_

NO \_\_\_

3. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York?

YES \_\_\_

NO \_\_\_

4. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?

YES \_\_\_

NO \_\_\_

5. Will the Project be located in one of the following: (a) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

YES \_\_\_

NO \_\_\_

---

If the answer to any of the subdivisions 1 through 5 of Question C is YES, attach details.

D. If the answer to any of the subdivisions 3 through 5 of Question C is YES, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? If YES, attach details.

YES \_\_\_

NO \_\_\_

E. State percentage of the Applicant's annual gross revenues comprised of each of the following:

Retail Sales: \_\_\_\_\_%

Services: \_\_\_\_\_%

F. State percentage of Project premises utilized for same:

Retail Sales: \_\_\_\_\_%

Services: \_\_\_\_\_%

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of  
Applicant:

\_\_\_\_\_

Signature:

\_\_\_\_\_

Name:

\_\_\_\_\_

Title:

\_\_\_\_\_

Date:

\_\_\_\_\_

APPLICANT'S FINANCIAL ATTACHMENTS

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ENVIRONMENTAL ASSESSMENT FORM

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**OTHER ATTACHMENTS**

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**EXHIBIT 1**  
**References**

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## EXHIBIT 2

### Part 1 – Question V:

Attach a brief history of the Applicant and its business/operations.

It is the mission of the North Hempstead Housing Authority to provide clean, safe and affordable housing for the low and very low income citizens of the community. Currently, there are 357 public housing units in the Town of North Hempstead, and over 12,150 households on the County's public housing and Section 8 waiting lists. Demand for family units is greatest, with over 70% of those on the waiting list needing two or more bedrooms. The 2005-2009 Nassau County Plan states that only 22.6% of housing units in the County were affordable to low and moderate income households. The Plan further stated that 79.5% of all low income renters in Nassau County were experiencing housing problems. Approximately 69.7% of low income renters were considered severely cost burdened, meaning that more than 30% of their income was used for rent.

**EXHIBIT 3**  
**Site Control Documentation**

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Applicant and a copy of the State legislation authorizing transfer of the property. In addition, a letter from E. Christopher Murray, Secretary/Treasurer of the North Hempstead Housing Authority, is attached, confirming that the transfer of the property to the new owner will occur.

---

ANGELLA FILLA, sometimes known as ANGELA FILLA

residing at 885 Northern Boulevard, Great Neck, Nassau County, New York,

party of the first part,

and

NORTH HEMPSTEAD HOUSING AUTHORITY, a municipal corporation, organized and existing under the laws of the State of New York, having its principal office and place of business at the Valley School, High Street, Manhasset, Nassau County, New York,

party of the second part,

Witnesseth, that the party of the first part, in consideration of One Dollar, lawful money of the United States, and other valuable consideration paid by the party of the second part, do es hereby grant and release unto the party of the second part,

its successors and assigns forever, All that certain plot/pieces

or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the at Great Neck, (outside of the Incorporated Village) in the Town of North Hempstead, County of Nassau and State of New York, and more particularly known and designated as Lots 11, 12, 13 on Block 17 on a certain map entitled, "Map of Property Parcel 352, Town of North Hempstead, belonging to Great Neck Holding Co., situated at Great Neck, Nassau County, N. Y., compiled by D. C. Will, May 1924, Great Neck, N. Y.," and filed in the Nassau County Clerk's Office May 31, 1924, as Map No. 544, New No. 3340. Said premises being formerly known as Section 2, Block D, Lot 232 on the Land and Tax Map of Nassau County.

RECORDED  
INDEXED  
SECTION 2  
BLOCK D  
LOT 232  
MAY 31 1924  
NASSAU COUNTY CLERK'S OFFICE

Together with all right, title and interest of the party of the first part in and to the land lying in the streets and roads in front of and adjoining premises.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

To have and to hold the above granted premises unto the party of the second part, its successors and assigns forever.

And the said party of the first part covenants that she has not done or suffered anything whereby the said premises have been incumbered in any way whatever.



This conveyance and will hold the right to receive such costs first for the purpose of paying the cost of the improvement and that She will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part has hereunto set her hand and seal the day and year first above written.

In the Presence

*Frank Filla*

*x Angella Della*  
(Angella Filla)

L.S.

STATE OF NEW YORK  
COUNTY OF NASSAU

} ss.:

On this *13th* day of *April* in the year nineteen hundred and *thirty*  
~~fifty two~~, before me personally came ANGELLA FILLA

to me known to be the individual described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same.

*John J. Schreffler*  
JOHN J. SCHREFFLER, J.W.  
Notary Public, State of New York  
No. 80,338,725  
Qualified in Nassau County  
Term Expires March, 30, 1937

whom I am personally acquainted, who, being by me duly sworn, did depose and say, that he resided, at the time of the execution of said instrument, and still resides at

with that he is and then was acquainted

and knew to be the individual described in, and who executed the foregoing instrument; and that he, said subscribing witness, was present and saw execute the same; and he, said witness, at the same time, subscribed in name as witness thereto.

STATE OF NEW YORK }  
COUNTY OF } ss.:

On this day of , in the year nineteen hundred and , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he executed the same.

NOV 17 1954

Title No.

ANGELLA FILLA

99312 X 633

TO

NORTH HEMPSTEAD HOUSING  
AUTHORITY

DEED

The land affected by the within instrument

lies in Section 2 Block D

on the land map of the County of Nassau

HOME TITLE  
GUARANTY COMPANY

OFFICES

135 BROADWAY  
NEW YORK 6

51 WILLOUGHBY STREET  
BROOKLYN 1

80-22 181ST STREET  
JAMAICA 32

SCHIFFMACHER & WILLIAMS  
45 North Station Plaza

Great Neck, New York

RECORDED  
COUNTY CLERK'S OFFICE  
NASSAU COUNTY, N. Y.  
ERNEST F. FRANKLIN, CLERK

NOV 17 3 01 PM '54

LIBER 274 PAGE 392

MORTGAGES DEEDS

# **NORTH HEMPSTEAD HOUSING AUTHORITY**

POND HILL ROAD, GREAT NECK, NY 11020

TEL: (516) 627-6433 FAX: (516) 627-8476

F. MICHAEL FRANZESE, JR., PHM, ARM, RPA  
EXECUTIVE DIRECTOR

ROBERTA NIXON  
BETTE SEGAL  
LUKE LICALZI  
E. CHRISTOPHER MURRAY  
ZAKIYA JABARI  
BARBARA NELSON  
MATTHEW CIOMO

February 15, 2007

Ms. Deborah VanAmerongen, Commissioner  
New York State Division of Housing  
and Community Renewal  
Hampton Plaza  
38-40 State Street  
Albany, NY 12207

Re Spinney Hill Homes Redevelopment

Dear Commissioner VanAmerongen:

This is to confirm several matters in connection with the redevelopment of the Spinney Hill Homes project as described in the application submitted by the North Hempstead Housing Authority to the New York State Division of Housing and Community Renewal.

1. The North Hempstead Housing Authority is the current owner of Spinney Hill Homes as evidenced in Attachment A1 of the application. This will confirm that, as part of the redevelopment, the Authority will transfer title to the property to a limited partnership, of which a housing development fund company established by the Authority shall be the sole general partner, for a cash payment of \$529,412 at the initial 9% LIHTC closing and the subsequent 4% LIHTC closing of \$470,588 for a total of \$1,000,000. This process is authorized by State Legislation (see attached) specifically enacted to permit the privatization and redevelopment of the Authority's State-assisted public housing projects.
2. It is the Authority's intention to provide project based Section 8 assistance at Spinney Hill Homes for 100% of the rehabilitated units. However, the request for project based assistance will not be made through the Unified Funding round; it will be made through a separate request which DHCR administers for Public Housing restructurings. The property qualifies for supportive services through a contract with Community Development of LI, relative to the Family Self Sufficiency Program. The Authority is the administrator for the Section 8 program in the Town of North Hempstead. The Authority has successfully implemented project based Section 8 assistance at Harbor Homes, Pond View and Laurel Homes in connection with the privatization and redevelopment of those projects.

**Ms. Deborah VanAmerongen, Commissioner  
New York State Division of Housing  
and Community Renewal  
Page Two**

3. Finally, this will constitute the Authority's agreement to utilize its public housing waiting list in selecting new tenants for Spinney Hill Homes. This commitment will be incorporated into an enforceable agreement with the new owner, as well as in the regulatory agreement. Such a requirement is mandatory as specified in the Special State legislation attached hereto.

---

If there is any other information that you need, please do not hesitate to contact me.

Very truly yours,



E. Christopher Murray  
Secretary/Treasurer  
North Hempstead Housing Authority

ECM:ms

NEW YORK ADVANCE LEGISLATIVE SERVICE

1998 REGULAR SESSION

CHAPTER 230

SENATE BILL NO. 7848; ASSEMBLY BILL NO. 11409

1998 N.Y. ALS 230; 1998 N.Y. LAWS 230; 1998 N.Y. S.N. 7848; 1998 N.Y. A.N. 11409

**SYNOPSIS:** AN ACT to permit the sale or lease of pond view homes, laurel homes, spinney hill homes and harbor homes housing projects situated in the town of North Hempstead, county of Nassau under certain circumstances.

To view the next section, type .np\* and TRANSMIT.  
To view a specific section, transmit p\* and the section number. E.g. p\*1

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

[\*1] Section 1. Legislative findings and declarations. The legislature finds and declares that the state has a vital interest in the continued viability of public housing. It is necessary to ensure that public housing continues to serve low-income individuals and families who would otherwise face homelessness or be forced into unsafe or unsanitary housing. Public housing functions as a safety net for persons most in need of safe, decent and affordable housing. The legislature further finds that the North Hempstead housing authority has made, and continues to make, a concerted effort to provide public housing to individuals and families in need. The projects owned by the North Hempstead housing authority have suffered deterioration over time, and the authority does not have sufficient resources to address this dilapidation. An infusion of private capital is necessary to ensure the continued success and long-term viability of the projects. The legislature therefore finds and declares that enactment of this legislation would enable redevelopment and rehabilitation of the projects of the North Hempstead housing authority and the continued operation of the projects as a source of housing for persons and families of low income.

[\*2] § 2. Upon approval by the commissioner of housing and community renewal and the town board of the town of North Hempstead, county of Nassau, the North Hempstead housing authority is hereby authorized to sell or lease all or part of the projects commonly known as pond view homes, laurel homes, spinney hill homes and harbor homes, located in the town of North Hempstead, county of Nassau, upon such terms and conditions and in such manner as the North Hempstead housing authority may deem appropriate and in compliance with the provisions of this act. The commissioner of the division of housing and community renewal shall not grant such approval unless he or she makes a finding that such sale or lease will enable the projects to be redeveloped and/or operated in such a manner as to provide decent, safe and sanitary housing within the financial reach of persons and families of low income as provided in section three of this act. There shall be no requirement for a finding by the commissioner of housing and community renewal that (i) federal assistance will be available to the projects upon the sale or lease thereof; or (ii) provision has been made to pay or otherwise assure payment or retirement of all bonds, notes and other obligations heretofore issued to finance the project or portions thereof, provided that the sale or lease of such projects is part of a comprehensive plan of rehabilitation and/or restructuring which includes the provision of housing for persons and families of low income.

[\*3] § 3. (a) (i) For the purpose of this act only, "public housing units" shall mean accommodations to continue to be leased to and occupied by persons or families of low income in accordance with the ter

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provisions of the public housing law.

(v) For the purpose of this act only, "section 8 unit" shall mean any unit for which a portion of the rent is paid pursuant to Section 8 of the United States Housing Act of 1937.

(iii) No less than sixty-five percent of the units in each project shall be set aside as public housing units. Furthermore, at least sixty-five percent of each housing unit size shall be set aside as public housing units (unless there is insufficient demand for such unit sizes). Section 8 units may be counted to satisfy the aforementioned setaside requirement, provided however, if the number of section 8 units in a project exceeds fifteen percent of the total number of units in the project all such units in excess of fifteen percent shall be designated as public housing units in addition to the aforementioned sixty-five percent setaside. To the extent that the laws, rules or regulations governing public housing units permit the exercise of any discretion in tenant selection, no less than fifty percent of the public housing units shall be made available to tenants (including tenants in occupancy) with incomes of forty percent or less of area median income.

(iv) The first units that become available for occupancy after the sale or lease of the project shall be offered to tenants of the project. Thereafter, all available units shall be designated as public housing units until the setaside provided in paragraph (iii) of this subdivision is satisfied.

(v) All public housing units and any other units occupied by persons of low income shall be physically integrated with all other units in the project. They shall share common means of access, services and amenities equally with all other units and shall in no way be physically or otherwise set apart from all other units in the project.

(vi) All tenants who resided in the housing project prior to the sale or lease shall be offered their current apartments or comparable housing accommodations at a project at a rent not to exceed thirty-three and one-third percent of their gross income. All occupants of public housing units shall be entitled to all the benefits and rights afforded to housing authority tenants by the public housing law and all applicable rules and regulations including but not limited to representation on the authority, the right to administrative review and rent setting procedures. The owner of the project and the North Hempstead housing authority shall be jointly and severally obligated to provide such tenants all of such rights.

(b) All prospective tenants shall be selected by the North Hempstead housing authority from a waiting list which shall be maintained by the housing authority in compliance with the public housing law and all applicable rules and regulations. The authority shall screen tenants and have final approval over tenant selection. All prospective tenants shall be taken from the waiting list in the order in which they applied for the size appropriate unit.

(c) Except for tenants in occupancy as of the date of sale or lease all units of the North Hempstead housing authority shall be occupied by persons or families whose income does not exceed sixty percent of area median income.

(d) The entity that controls the operation of the project or acts as the general partner after the transfer shall be a not-for-profit entity wholly owned by the North Hempstead housing authority and any subsidiaries thereof shall be established under article 11 of the private housing finance law, provided, however, that the directors, members or other governing body of such entity shall be composed of the chairperson of the authority and the duly appointed and elected commissioners of such authority.

(e) The provisions of this section may be enforced by any party aggrieved by a violation of such provisions.

(f) The provisions of this section shall be applicable to any project or part thereof commencing on the closing date of the sale of the project or part thereof for a period of forty years and shall be binding upon all owners and operators of the project for such period.

(g) The division of housing and community renewal shall retain continuing jurisdiction over all project

ensure compliance with the provisions of this act.

) In any case where there is an allocation of federal low income housing tax credits in connection with sale or lease of a project the fee payable to the developer shall not exceed twelve percent of the total development cost provided, however that the fee payable to the developer may be increased to the maximum percentage permitted under regulations promulgated by the division of housing and community renewal if the developer assumes additional financial risk. Such increase shall not be granted for (i) risk the developer is customarily required to assume or guarantees which the developer is customarily required to provide by industry practice; (ii) any risks or guarantees which parties other than the developer would ultimately bear; or (iii) if the cost of such risks or guarantees would be paid from governmental grants, loans, subsidies or other governmental funds.

[4] § 4. The state subsidies presently available to the projects in connection with the bonds, notes or other obligations heretofore issued to finance the cost thereof may, subject to annual appropriation and upon compliance with the provisions of this act, continue to be used to pay the debt service on such bonds, notes or other obligations, and, any remaining amounts may be used to pay operating expenses of the projects subsequent to the sale or lease thereof as described in this act, subject to such terms and conditions as the commissioner of housing and community renewal may deem appropriate.

[5] § 5. This act shall take effect immediately.

**HISTORY:**

Approved July 7, 1998

**SPONSOR: IN SENATE** -- Introduced by Sen. BALBONI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules.

**IN ASSEMBLY** -- Introduced by COMMITTEE ON RULES -- (at request of M. of A. DiNapoli) -- read twice and referred to the Committee on Ways and Means.

Service: LEXSEE@  
Citation: 1998 N.Y. Laws 230  
Client: John Vero  
View: FULL  
Date/Time: Friday, October 16, 1998 - 11:17 AM EDT

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**EXHIBIT 4**  
**Community Needs Strategy**

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## Community Needs Strategy

The Spinney Hill Homes Redevelopment Project is part of a comprehensive strategy designed to address the housing needs of the Town of North Hempstead and Nassau County.

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The North Hempstead Housing Authority (NHHA) has completed the privatization and redevelopment of the Pond View, Laurel Homes and Harbor Homes public housing projects. The redevelopment of Spinney Hill Homes continues the NHHA's strategy, strongly supported by the Town of North Hempstead, of preserving affordable housing in Nassau County, a goal high on the housing strategy of the County.

### 1. Affordable Housing and Community Needs

It is the mission of the North Hempstead Housing Authority to provide clean, safe and affordable housing for the low and very low income citizens of the community. Currently, there are 357 public housing units in the Town of North Hempstead, and over 400 households on the Town of North Hempstead's public housing and Section 8 waiting lists. The 2005-2009 Nassau County Consolidated Plan states that only 22.6% of the housing units in the County were affordable to low and moderate income households. The Plan further stated that 72.6% of all low income renters in Nassau County were experiencing housing problems. Approximately 69.7% of low income renters were considered severely cost burdened, meaning that more than 30% of their income was used for rent.

As described in our market study, a home in the Town of North Hempstead costs on an average of \$354,000 and median rents range from \$1,300 to \$2,500 for one to four bedrooms, respectively. These rents are not affordable to those on public assistance who are eligible for public housing and other very low income households. Many low income households are forced to live in sub-standard housing and many of these families stand one code violation or casualty away from homelessness.

The Nassau County Consolidated Plan places a high priority on assisting very low and low income county households with respect to housing cost burden. Units affordable to households in those income categories must be preserved. Preserving affordable housing is also included in the Consolidated Plan as a priority.

The need for affordable rental housing in Nassau County is tremendous. The Spinney Hill Homes redevelopment is in the spirit of the Town of North Hempstead and Nassau County's commitment to provide safe, affordable housing to its residents.

## 2. Strategy for Addressing Needs

The overwhelming need for affordable housing, particularly public housing, explains why the focus of the Town of North Hempstead is on preserving those affordable units already in place.

The *first strategy* is to rehabilitate public housing. Since the Town of North Hempstead is almost completely developed, there is little land available for additional housing so preservation of existing units is the first goal. In 1998 the State, the County and the Town enacted legislation to allow NHHA to sell or lease Pond View Homes, Laurel Homes, Harbor Homes and Spinney Hill Homes (see attached legislation.) The legislature declared that "the State has a vital interest in the continued viability of public housing" and that enactment of the legislation would enable redevelopment and rehabilitation of the projects of the NHHA. Pond View, Laurel Homes and Harbor Homes, three of four State assisted public housing projects in the Town, have already been substantially rehabilitated; now Spinney Hill Homes must be redeveloped to preserve critically needed affordable housing to meet the Town's needs.

Currently, Spinney Hill Homes provides 102 units of public housing for low and very low income tenants. The redeveloped project will provide 102 units for families already living in the complex and others on the waiting list. No residents are permanently displaced as a result of the rehabilitation or redevelopment of these projects. Spinney Hill is the final NHHA property to be redeveloped.

The *second strategy* is to stabilize the projects by revitalizing and restructuring their financial situation. Privatization has been implemented at Pond View, Laurel Homes and Harbor Homes, reserve funds have been created and income has increased. Spinney Hill homes will be treated in a like manner. Private equity will be provided through the sale of 9% tax credits. There is an annual replacement reserves of \$300 per unit to assist in maintaining the project over the next 15 years.

## 3. Measures to Implement This Strategy

The County's Five Year Housing Strategy maintains that the elimination of sub-standard housing and the preservation of existing housing are key. Areas targeted for residential rehabilitation activities in the Consolidated Plan include North Hempstead, asserting that it is much more cost effective to rehabilitate existing housing than to have it deteriorate and be replaced.

With an allocation of tax credits, the North Hempstead Housing Authority, utilizing available funds under the Public Housing Modernization Program, will be able to rehabilitate and modernize Spinney Hill Homes, thereby preserving affordable housing as part of the first strategy. To meet the second strategy, Section 8 assistance will be used to increase project income, while at the same time, protecting low income residency. Interest bearing reserve accounts will be set up to protect the project over the long term. Operat-

ing efficiencies will also be implemented and management improvements put in place. Together, these strategies will allow Spinney Hill Homes to continue to provide affordable rental units to the citizens of North Hempstead.

The North Hempstead Housing Authority has gathered an experienced team to implement this innovative program. Whitney Capital Company, L.L.C. will act as developer and will oversee the redevelopment process. The Town of North Hempstead has committed to maintain its ongoing operating subsidy to the Housing Authority, as well as a property tax abatement and waiver of fees. All funding commitments have been issued for the purchase of tax credits and all necessary construction financing. Construction on the project will begin in January of 2008.

#### **4. Letters from Local Officials**

Please see the attached letter from the Town Supervisor of North Hempstead. Please also see the attached letters of support from State and Local officials.

*Town Board*  
ROBERT TROIANO, JR.  
THOMAS K. DWYER  
ANGELO P. FERRARA  
WAYNE H. WINK, JR.  
LEE SEEMAN  
FRED L. POLLACK

*Town Clerk*  
MICHELLE SCHIMEL

*Receiver of Taxes*  
ROCCO IANNARELLI

**TOWN OF NORTH HEMPSTEAD  
OFFICE OF THE SUPERVISOR**

**TOWN HALL  
220 PLANDOME ROAD  
MANHASSET, NY 11030**

**(516) 869-7700**

**FAX (516) 627-4204**

**Email: [kaimanj@northhempstead.com](mailto:kaimanj@northhempstead.com)**



*Supervisor*  
**JON KAIMAN**

January 26, 2007

Commissioner  
New York State Division of Housing Community Renewal  
38-40 State Street  
Hampton Plaza  
Albany, NY 12207

Re: Spinney Hill Homes  
North Hempstead, New York

Dear Commissioner,

I am writing this letter in support of the Spinney Hill Home redevelopment project sponsored by the North Hempstead Housing Authority and to advise you that this project is part of a comprehensive community strategy designed to address the housing needs of the Town of North Hempstead and Nassau County.

One of Town's highest priorities is to provide clean, safe, and affordable housing for low income residents of the community. Currently, Spinney Hill Homes is in such deteriorated condition that it must soon be replaced or it will become inhabitable. The current maintenance and operating costs are placing the Authority in a financially precarious position. As state operating subsidies ended the Town and Housing Authority have taken measures to make the projects self-sufficient. Pond View and Laurel Homes have been privatized and operating funds established to protect each of them.

An allocation and utilization of tax credits will allow the Authority to rebuild and modernize Spinney Hill Homes, establish operating reserves and take other steps to protect existing residents and ensure ongoing viability. By enhancing the projects appearance, community acceptance will be improved. Implementation will allow Spinney Hill Homes to continue providing affordable rental units to the citizens of North Hempstead.

It would seem that we have an exceptional opportunity for this rehabilitation and financial restructuring to take place. Inevitably, this redevelopment work must be done and waiting will undoubtedly be a far more costly proposition. I urge you make an allocation of tax credits to Spinney Hill Homes. Thank you.

Sincerely,

  
Jon Kaiman

Supervisor, Town of North Hempstead

[kaimanj@northhempstead.com](mailto:kaimanj@northhempstead.com)

023

*Supervisor*  
JON KAIMAN

*Town Board*  
ROBERT TROIANO, JR.  
THOMAS K. DWYER  
ANGELO P. FERRARA  
WAYNE H. WINK, JR.  
LEE SEEMAN  
FRED L. POLLACK

*Town Clerk*  
MICHELLE SCHIMEL

*Receiver of Taxes*  
ROCCO IANNARELLI

**TOWN OF NORTH HEMPSTEAD  
OFFICE OF THE TOWN BOARD**

**TOWN HALL  
220 PLANDOME ROAD  
MANHASSET, NY 11030  
(516) 869-7697  
FAX (516) 869-7688**



*Councilman*  
WAYNE H. WINK, JR.

January 23, 2007

Commissioner  
New York State Division of Housing Community Renewal  
38-40 State Street  
Hampton Plaza  
Albany, NY 12207

Re: Spinney Hill Homes  
North Hempstead, NY

Dear Commissioner:

I am writing this letter in support of the Spinney Hill Home redevelopment project that is being led by the North Hempstead Housing Authority. The existing buildings are in very poor condition and immediate action is critical. Please note that Spinney Hill residents call my office frequently regarding their apartments' structural problems.

An allocation and utilization of tax credits will allow the Authority to rebuild and modernize Spinney Hill Homes. The commitment and dedication of the Housing Authority for this project, as well as that of the Town Supervisor and the entire Town Board, confirms the importance and priority of this project.

It will also give the Housing Authority the opportunity to go through financial restructuring as well as rehabilitation of these homes. Delaying this project would necessarily increase the costs of redevelopment in the future.

I wholeheartedly support the North Hempstead Housing Authority's application for tax credits and the redevelopment of Spinney Hill Homes. If you have any questions, please do not hesitate to contact me.

Sincerely,

Wayne H. Wink, Jr.  
Councilman

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LISANNE G. ALTMANN  
LEGISLATOR, DISTRICT 10

CHAIR:  
LEGISLATIVE BUDGET REVIEW

COMMITTEES:  
RULES  
HEALTH AND SOCIAL SERVICES

NASSAU COUNTY LEGISLATURE

ONE WEST STREET  
MINEOLA, NEW YORK 11501  
(516) 571-6210

[altmann@nassaucountyny.gov](mailto:altmann@nassaucountyny.gov)

January 25, 2007

Commissioner  
New York State Division of Housing Community Renewal  
38-40 State Street  
Hampton Plaza  
Albany, NY 12207


Dear Commissioner,

I am writing to express my support for the Town of North Hempstead Housing Authority's request for low income tax credits.

The tax credits would greatly contribute to the redevelopment of Spinny Hill Homes which are in great need of improvement. This project would have a positive impact on the residents and the surrounding community.

Thank you for your time and consideration.

Sincerely,

  
Lianne G. Altmann  
Legislator, District 10

*Supervisor*  
JON KAIMAN

*Town Board*

ROBERT TROIANO, JR.  
THOMAS K. DWYER  
ANGELO P. FERRARA  
WAYNE H. WINK, JR.  
LEE SEEMAN  
FRED L. POLLACK

*Town Clerk*

MICHELLE SCHIMEL

*Receiver of Taxes*

ROCCO IANNARELLI

**TOWN OF NORTH HEMPSTEAD  
DEPARTMENT OF COMMUNITY  
SERVICES**

1601 Marcus Avenue  
New Hyde Park, N.Y. 11040  
516) 869-7715  
FAX (516) 327-6069



Commissioner  
MADGE KAPLAN

2/9/2007

Commissioner  
New York State Division of Housing Community Renewal  
38-40 State Street  
Hampton Plaza  
Albany, NY 12207

Re: Spinney Hill Homes  
North Hempstead, NY

Dear Commissioner,


I am writing this letter in support of the Spinney Hill Home Development project that is being led by the North Hempstead Housing Authority. My department provides social services and recreation activities to these tenants and we are contacted 2 or 3 times a day about structural problems because the existing buildings are in serious need of repair. The tenants believe we can fix their problems. It is a shame for people to have to live like this, immediate action is required.

An allocation and utilization of tax credits will allow the Authority to rebuild and modernize Spinney Hill Homes. The commitment and dedication of the Housing Authority for this project, as well as that of the Town Supervisor and the entire Town Board, confirms the importance and priority of this project.

It will also give the Housing Authority the opportunity to go through financial restructuring as well as rehabilitation of these homes. Delaying this project would necessarily increase the costs of redevelopment in the future.

I wholeheartedly support the North Hempstead Housing Authority's application for tax credits and the redevelopment of Spinney Hill Homes. If you have any questions please do not hesitate to contact me.

Sincerely,

  
Madge Kaplan

Commissioner, Department of Community Services

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Eliot Spitzer  
Governor



Deborah VanAmerongen  
Commissioner

New York State Division of Housing and Community Renewal  
25 Beaver Street  
New York, NY 10004

February 20, 2007

E. Christopher Murray, Secretary/Treasurer  
North Hempstead Housing Authority  
Pond Hill Road  
Great Neck, New York 11020

Re: Spinney Hill

Dear Mr. Murray:

This letter is written based upon your proposal and our discussions with representatives of the North Hempstead Housing Authority and Whitney Capital Company, Inc. regarding the redevelopment of Spinney Hill, a State-aided public housing project.

DHCR has reviewed the proposed restructuring plan for Spinney Hill and finds it accomplishes the goal of comprehensive modernization as well as providing long-term affordability to low income families. Accordingly, it is our intention to recommend to the Housing Trust Fund Board of Directors, Public Housing Modernization awards totaling \$4.8 million to be funded over a planned three (3) year period. Funding is subject to appropriations recommended by the Legislature and approved by the Governor.

We hope this assists you in your application for Low Income Housing Credits to complete this important redevelopment project.

Sincerely,

Richmond McCurrin  
Assistant Commissioner



THOMAS R. SUOZZI  
COUNTY EXECUTIVE



PATRICK G. DUGGAN  
DEPUTY COUNTY EXECUTIVE

CONNIE LASSANDRO  
DIRECTOR

COUNTY OF NASSAU  
ECONOMIC DEVELOPMENT  
OFFICE OF HOUSING & INTERGOVERNMENTAL AFFAIRS  
~~HOUSING SERVICES~~

---

100 COUNTY SEAT DRIVE  
MINEOLA, NEW YORK 11501-4841  
(516) 571-0370/ FAX (516) 571-1616

February 16<sup>th</sup>, 2007

Mr. David J. Gallo  
Vice President  
Whitney Capital Company  
2001 Marcus Avenue, Suite N118  
Lake Success, New York 11042

Dear Mr. Gallo:

Nassau County Office of Housing has a long history of serving low and moderate-income families and individuals. The Housing Choice Voucher Program increases affordable rental housing with supportive services.

We fully support Whitney Capital Company, the developer for Spinney Hill Homes, Great Neck NY, a NY State Public Housing project, on behalf of the Town of North Hempstead and its Housing Authority to rehabilitate the existing project.

The project consists of 102 family units and we understand Whitney Capital Company is requesting 100% Project-Based Vouchers. Therefore, as the administrator of the Vouchers, Nassau County Office of Housing (OHIA) will provide supportive services to all residents eligible for a Voucher.

The supportive services offered are:

- Family Self-Sufficiency (FSS) a HUD program that encourages strategies to assist families obtain employment that will lead to economic independence and self-sufficiency. Intensive case management providing resources such as budgeting, savings and establishment of their goals. As participants increase their income, money is set in an escrow account.

- Housing Voucher Homeownership – all participants will be informed about eligibility requirements and will encourage all participants to work toward homeownership.
- Nassau County is a HUD Certified Housing Counselor providing first-time homebuyers with education and down payment assistance through many programs. Given this assistance, the program provides the participants with the fundamental components that they need to both purchase and maintain a new home.
- Post Purchase Counseling – once homeownership is achieved, we assist families in the maintenance of retaining the home; how to maintain the home; adequate insurance; ~~refinancing home; budgeting for the unexpected; early delinquency prevention.~~
- Money 101 is a financial fitness course that involves teaching people how to make, save and spend money wisely. The course is based on the FDIC Money Smart Adult Education Program. A comprehensive course that covers areas of savings, spending, budgeting, credit, money management and identity theft.

We look forward in providing supportive services to the families of Spinney Hill Homes. If you have any questions, please don't hesitate to call me.

Sincerely,



Connie Lassandro  
Director

THOMAS R. SUOZZI  
COUNTY EXECUTIVE

PATRICK G. DUGGAN  
DEPUTY COUNTY  
EXECUTIVE

ROBERT H. SHELLY  
EXECUTIVE DIRECTOR OF  
OPERATIONS & FINANCE



OFFICE OF HOUSING &  
INTERGOVERNMENTAL  
AFFAIRS

ROSEMARY A. OLSEN  
DIRECTOR

KEVIN J. CREAM  
TECHNICAL DIRECTOR

OFFICE OF HOUSING AND INTERGOVERNMENTAL AFFAIRS  
400 COUNTY SEAT DRIVE  
MINEOLA, NY 11501  
516-571-0390  
Facsimile: 516-571-1338

January 31, 2007

Commissioner Deborah Vanamerogen  
New York State Division of Housing Community Renewal  
38-40 State Street  
Hampton Plaza  
Albany, NY 12207

Re: Spinney Hill Homes  
North Hempstead, New York

Dear Commissioner Vanamerogen:

This letter is written in support of the Spinney Hill Home redevelopment sponsored by the North Hempstead Housing Authority and to advise you that this project is part of a comprehensive community strategy designed to address the housing needs of the Town of North Hempstead and Nassau County.

One of the Counties highest priorities is to provide clean, safe and affordable housing for the low and very low income citizens of the community. The Spinney Hill Homes redevelopment is redesigned to preserve part of the Counties public housing stock. Currently, Spinney Hill Homes is in such deteriorated condition that it must soon be replaced or it will become inhabitable. The current maintenance and operating costs are placing the Authority in a financially precarious position. As state operating subsidies ended, the Town and Housing Authority have taken measures to make the projects self-sufficient. Pond View and Laurel Homes have been privatized and operating funds established to protect each of them.

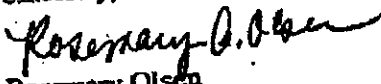
The authority, through its participation in the Public Housing Modernization and with an allocation of federal low income housing tax credits, will now be able to rebuild and modernize Spinney Hill Homes, establish operating reserves and take other steps to protect existing residents and ensure ongoing viability. By enhancing the projects appearance, community acceptance will be improved. Implementation will allow Spinney Hill Homes to continue providing affordable rental units to the Citizens of North Hempstead.

I will also encourage the County to continue the existing PILOT Agreement for real estate taxes in place after the redevelopment (which was accomplished at Pond View and Laurel Homes), and I am confident this will happen.

It would seem that we have exceptional opportunity for this rehabilitation and financial restructuring to take place. Inevitably, this redevelopment work must be done and waiting will no doubt be a much costly proposition. I urge you to make an allocation of tax credits to Spinney Hill Homes. Thank you for your support. If you have any questions I can be reached at 516-571-0279.

---

Sincerely,



Rosemary Olsen  
RO:ab



**JUDITH A. JACOBS**  
PRESIDING OFFICER  
LEGISLATOR, DISTRICT 16

**NASSAU COUNTY LEGISLATURE**  
ONE WEST STREET  
MINEOLA, NEW YORK 11501  
(516) 571-6216

**CHAIR:**  
RULES

**VICE CHAIR:**  
LEGISLATIVE BUDGET REVIEW

**MEMBER:**  
PLANNING, DEVELOPMENT  
AND THE ENVIRONMENT  
HEALTH AND SOCIAL SERVICES

February 21, 2007

Ms. Deborah VanAmerogen  
Commissioner New York State Division of Housing  
And Community Renewal  
25 Beaver Street, 7<sup>th</sup> Floor  
New York, NY 10004

**RE: Spinney Hill Homes**


Dear Commissioner VanAmerogen:

I am writing on behalf of Spinney Hill Homes, Great Neck, NY and existing 102 unit New York State Public Housing project. The above captioned project is in great need of repair and is a vital part of this community.

This renewal project will have an immediate impact for our residents in need of a clean and safe affordable living situation. The allocation of tax credits from New York State Division of Housing and Community Renewal is critical to this project's success.

I respectfully request that you give priority and consideration to this proposal. Thank you for your time and effort in this important matter.

Sincerely,

  
Judith A. Jacobs  
Presiding Officer, 16<sup>th</sup> LD