

**Ulster County  
Housing Development Corporation  
Regular Meeting Minutes**

**DATE & TIME:** May 10, 2022 – 2:00pm  
**LOCATION:** Powered by Zoom / Dial in by phone: (646) 558-8656  
Meeting ID: 878 8838 2523

**CHAIRPERSON:** Hayes Clement  
**PRESENT:** Marc Rider, Deputy County Executive  
Tracey Bartels, Ulster County Legislative Chairperson  
Kenneth J. Ronk, Jr., Ulster County Legislative Minority Leader  
(entered meeting at 2:13pm due to cell phone issue)  
Dennis Doyle, Ulster County Director of Planning

**ABSENT:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Phil Erner, Ulster County Legislator (departed meeting at 4:05pm)  
March Gallagher, Ulster County Comptroller  
Will D’Avella, Project Manager, Pennrose Development (entered  
meeting at 2:10pm / departed meeting at 4:05pm)  
Jerry Sheehan, Executive Confidential Secretary to Ulster County  
Executive (recording minutes)

HDC Chair Hayes Clement called the Regular Meeting of the Ulster County HDC to order at 2:05pm.

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**I. Approval of Minutes**

**Motion No 1:** Move to Approve the HDC Regular Meeting Minutes of  
March 2, 2022  
**Motion By:** Rider  
**Motion Seconded By:** Ronk  
**Discussion:** None

**Voting in Favor:** Clement, Rider, Bartels, Ronk, Doyle  
**Voting Against:** None  
**Votes in Favor:** 5  
**Votes Against:** 0  
**Disposition:** Minutes Approved

**Motion No. 1** **Moved to approve the HDC Regular Meeting Minutes  
of March 2, 2022**

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## **II. Public Comments:**

### **i. Phil Erner, Ulster County Legislator [District 6]**

Legislator Erner expressed concerns related to 1.) HDC's structure and accountability as those terms pertain to dispensing of public property and the rules governing same which he is not sure of. 2.) In connection with the Penrose / Golden Hill project, Erner expressed concerns over the transfer of public property to a private for-profit corporation. He wants to investigate the possibility of community ownership or if a non-profit developer is feasible. 3.) Erner expressed concerns over Penrose's guarantees to operate the site with the public good in mind. 4.) He expressed concerns regarding the low-income tax credit time period. 5.) Erner stated that he understood there is to be an Empire State supported housing initiative operated by Family of Woodstock the purpose, he stated, is to provide housing with Social Services to the homeless or those at risk of homelessness. He is concerned about the term of 5-years and what may occur at the end of the term. 6.)

### **ii. March Gallagher, Ulster County Comptroller**

Comptroller Gallagher reported that she sent a letter to the Chair and Vice-Chair of the Laws and Rules Committee about the pending amendments of the Ethics Law. Under the current law and the proposed amendments, the HDC members are not required to make disclosures. She is hoping there will be an amendment to that. She stated that most members have filed disclosures because they hold other roles within the government. However, Hayes Clement has not. Comptroller Gallagher stated that it is not just the HDC members that would be required to make disclosures, but it would apply to other boards including UCEDA. She also acknowledged the distribution of meeting materials in advance of the meeting but suggested any meeting materials be placed on the website further in advance of the meeting date.

Member Ronk stated that his understanding from attorneys is that Ulster County can not require the LBC to file ethics financial disclosure forms. Comptroller Gallagher replied that she asked for the case law on the issue and has not received anything. She believes people should not take positions on these Boards if they are not willing to disclose. Member Bartels stated she would get Comptroller Gallagher the requested information and she would support an amendment to include the LBC and UCEDA in the requirement for disclosure even if it falls outside the rules and see if anyone objects. Chair Clement stated he has no objection to filing whatever disclosure is appropriate. Member Ronk stated he is on Laws and Rules and will not support something that attorneys are advising is outside authority to require. Member Doyle suggested drafting a Conflict-of-Interest policy and that suggestion was put to a motion.

### **Drafting a Conflict-of-Interest Policy for Review**

<b>Motion No 2:</b>	Move to Draft a Conflict-of-Interest Policy to Review
<b>Motion By:</b>	Ronk
<b>Motion Seconded By:</b>	Doyle

<b>Discussion:</b>	None
<b>Voting in Favor:</b>	Clement, Rider, Bartels, Ronk, Doyle
<b>Voting Against:</b>	None
<b>Votes in Favor:</b>	5
<b>Votes Against:</b>	0
<b>Disposition:</b>	Motion Approved
<b>Motion No. 2</b>	<b>Moved to Draft a Conflict-of-Interest Policy for Review</b>

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### **III. Communications and Announcements:**

#### i. Dennis Doyle, Director of Planning

Member Doyle reported that the NYS Consolidated Funding Application (CFA) is out from New York State and there is some funding available for housing in the Mid-Hudson Region.

Chair Hayes asked for the actual CFA due date and if there is something this Board might be interested in pursuing. Member Doyle responded that in the past applications were due early summer. He will provide the Board with the actual due date. He also stated that at first glance he did not notice anything that would be worthwhile pursuing.

Member Bartels asked if there is something the Board wants to pursue who would handle the application for us. Member Doyle stated that Planning may play a role in assisting with the application depending upon what is applied for. Member Rider stated that the ARPA team would assist with any application.

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### **IV. Committee Reports:**                      None

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Before discussing “New Business”, Chair Clement stated that since the last meeting there has been talk of Family of Woodstock taking on a more expanded role in the Penrose/Golden Hill project. As he has made clear, he is the voluntary president of the Board of Directors of Family of Woodstock. Months ago, the opinion of County Attorney Clint Johnson was sought, and it was determined that there was no issue of conflict. However, Chair Clement stated that as Family of Woodstock’s role expands, he would like County Attorney Johnson to reassess the determination and offer a new opinion on the issue of conflict.

Member Bartels suggested the issue also be presented to the Ethics Board for an opinion.

Member Bartels asked for details regarding Family of Woodstock’s “expanded role”. Member Rider explained that to avail itself of certain funding opportunities, a non-profit was required and since Family of Woodstock was already involved in the project its role was expanded to meet

funding eligibility requirements. He stated he will defer to Will D'Avella of Penrose on these details.

Member Bartels asked if Family of Woodstock's participation was detailed in Penrose's response to the RFP. Member Doyle stated he does not believe so.

Member Bartels asked what the expectation is of Penrose for the units to remain affordable. Member Doyle believes it is a minimum of 30-years and he will confirm that number for the Board. Member Rider stated Penrose is comfortable with amending the purchase and sale agreement to reflect details of its commitment to keep the units as affordable housing.

## **V. New Business:**

Member Doyle gave a PowerPoint presentation on the process for surplusting properties in Ulster County that included examples of specific properties and how the properties may remain in the affordable housing category into the future.

Member Bartels would like to have the RFPs on a subject property in advance of any Legislative transfer of the property. Member Ronk agreed and stated that he failed to see how 3, 4, or 5 single family homes can be made into affordable housing – he fails to understand the model. Member Rider explained that we are not talking about converting these houses to multifamily homes. Rather, explained Member Rider, it's a method to make homeownership affordable. Member Doyle explained that there would be decisions to be made by this Board regarding income eligibility and length of time the property must be held before being able to be sold. He mentioned that there are RFPs out there that allow the homeowner to build some equity. Member Ronk cautioned about the use of the term “modest” when allowing homeowner a “modest gain” when reselling the property as that term has different meanings. Member Bartels stated this could be one tool in tackling the affordable housing issue. Member Ronk struggled philosophically with government's role in the matter.

Member Doyle stated he will have a draft RFP prepared for the next meeting.

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## **VI. Old Business:**

Update on Pennrose / Golden Hill project by Will D'Avella: a Developer in Pennrose's New York office. According to Mr. D'Avella, Pennrose is working on local approvals preparing for the fifth planning board meeting which will review the site plan application, SEQUR determination and request for subdivision of the lot. Mr. D'Avella is hoping for a negative declaration, site plan and subdivision approval. Mr. D'Avella reported that Pennrose has finalized the schematic design incorporating public feedback and is looking forward to presenting that to the public for further comment when the site plan and other approvals are obtained. Construction pricing is being updated based on the final schematic. Mr. D'Avella stated Pennrose is working on various financing options. And, if the approvals mentioned previously are granted, it strengthens the financing requests. Mr. D'Avella reported that

