



Department of
Environmental
Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

☐ Amendment to [check one or more boxes below]

- ☐ Add
- ☐ Substitute
- ☐ Remove
- ☐ Change in Name

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FEB 28 2020

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applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? ☐ Yes ☒ No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

☒ Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

☐ Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

☐ **Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY:** Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

☐ Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:

Lots 1 and 32 have been converted into condominium units pursuant to a condominium declaration (Declaration) that became effective on December 11, 2019. Pursuant to the Declaration, former lot 32 is now known as lots 1101-1105 and former lot 1 is now known as lots 1106-1112.

Ownership of the lots remains unchanged.

Please refer to the attached instructions for guidance on filling out this application

Section I. Existing Agreement Information

BCP SITE NAME: La Central Phase I

BCP SITE NUMBER: C203086

NAME OF CURRENT APPLICANT(S): La Central Manager LLC, La Central Supportive Housing Development Fund Corporation, La Central Supportive LP, LA Central NMTC LLC, LA Central LIHTC Owner LLC, Comuniflife La Central I

INDEX NUMBER OF EXISTING AGREEMENT: C203086-09-16 DATE OF EXISTING AGREEMENT: 10/7/16

Section II. New Requestor Information (if no change to Current Applicant, skip to Section V)

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Is the requestor authorized to conduct business in New York State (NYS)?

☐

Yes

☐

No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

NAME OF NEW REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached?

☐ Yes☐ No

Describe Requestor's Relationship to Existing Applicant:

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Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☐ No
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site? ☐ Yes ☐ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? ☐ Yes ☐ No
Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the subject law; ii) any order or determination; iii) any regulation implementing ECL Article 27 Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☐ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, Department assigned site number, the reason for denial, and other relevant information. ☐ Yes ☐ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☐ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☐ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department? ☐ Yes ☐ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☐ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☐ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☐ No

THE NEW REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL §27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

☐

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Requestor's Relationship to Property (check one):

☐ Prior Owner ☐ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached? ☐ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section V. Property description and description of changes/additions/reductions (if applicable)

ADDRESS 430 Westchester Avenue

CITY/TOWN Bronx, New York

ZIP CODE 10455

TAX BLOCK AND LOT (TBL) (in existing agreement)

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
430 Westchester Avenue			2294	32	
599 Brook Avenue			2361	1	

Check appropriate boxes below:

☒ Changes to metes and bounds description or TBL correction

☐ Addition of property (may require additional citizen participation depending on the nature of the expansion – see attached instructions)

Approximate acreage added: 0

ADDITIONAL PARCELS:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
430 Westchester Avenue			2294	1101-1105	
599 Brook Avenue			2361	1106-1112	

☐ Reduction of property

Approximate acreage removed: 0

PARCELS REMOVED:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From 6 NYCRR 375- 3.2(a) as of August 12, 2016: (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units. (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income. (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income. (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.	

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: La Central Phase I	BCP SITE NUMBER: C203086
NAME OF CURRENT APPLICANT(S): La Central Manager LLC; La Central Supportive Housing Development Fund Corporation; La Central Supportive LP; LA Central NMTC LLC; LA Central LIHTC Owner LLC; Comunilife La Central	
INDEX NUMBER OF EXISTING AGREEMENT: C203086-09-16	
EFFECTIVE DATE OF EXISTING AGREEMENT: 10/7/16	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)
<p>(Individual)</p> <p>I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>
<p>(Entity)</p> <p>I hereby affirm that I am (title _____) of (entity _____); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.</p> <p>_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am authorized signatory (title) of La Central LIHTC Owner LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. my signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 2/14/20 Signature: [Signature]

Print Name: Aaron Hoffman

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 10/7/16

Signature by the Department:

DATED: 3/10/20

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By: [Signature]
Michael J. Ryan, P.E., Director
Division of Environmental Remediation

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am authorized signatory (title) of La Central Owner LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 2/19/20 Signature: [Signature]

Print Name: Aaron Koffman

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 10/2/14

Signature by the Department:

DATED: 3/10/20

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

[Signature]

Michael J. Ryan, P.E., Director
Division of Environmental Remediation

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am authorized signatory (title) of La Central Manager LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 2/19/20 Signature: [Signature]

Print Name: Avron Hoffman

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 10/7/16

Signature by the Department:

DATED: 3/10/20

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

[Signature]
Michael J. Ryan, P.E., Director
Division of Environmental Remediation

Statement of Certification and Signatures Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am authorized signatory (title) of La Central NMTC LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. [Signature] signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 2/14/20 Signature: [Signature]

Print Name: Aaron Hoffman

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 10/3/16

Signature by the Department:

DATED: 3/10/20

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By: [Signature]
Michael J. Ryan, P.E., Director
Division of Environmental Remediation

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am authorized signatory (title) of Comunilife La Central HDFO (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. my signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 3/6/2020 Signature: 

Print Name: MICHAEL O'DONNELL

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 10/7/16

Signature by the Department:

DATED: 3/10/20

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By: 
Michael J. Ryan, P.E., Director
Division of Environmental Remediation

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am authorized signatory (title) of La Central Supportive HDFO (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 2/14/20 Signature: 

Print Name: David Beer

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 10/7/16

Signature by the Department:

DATED: 3/10/20

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:



Michael J. Ryan, P.E., Director
Division of Environmental Remediation

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am authorized signatory (title) of La Central Supportive LP (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 2/14/20 Signature: David Beer

Print Name: David Beer

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.

☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.

Effective Date of the Original Agreement: 10/7/16

Signature by the Department:

DATED: 3/10/20

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

Michael J. Ryan
Michael J. Ryan, P.E., Director
Division of Environmental Remediation

SUBMITTAL INFORMATION:

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) must be sent to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE:_____ **LEAD OFFICE:**_____

PROJECT MANAGER:_____

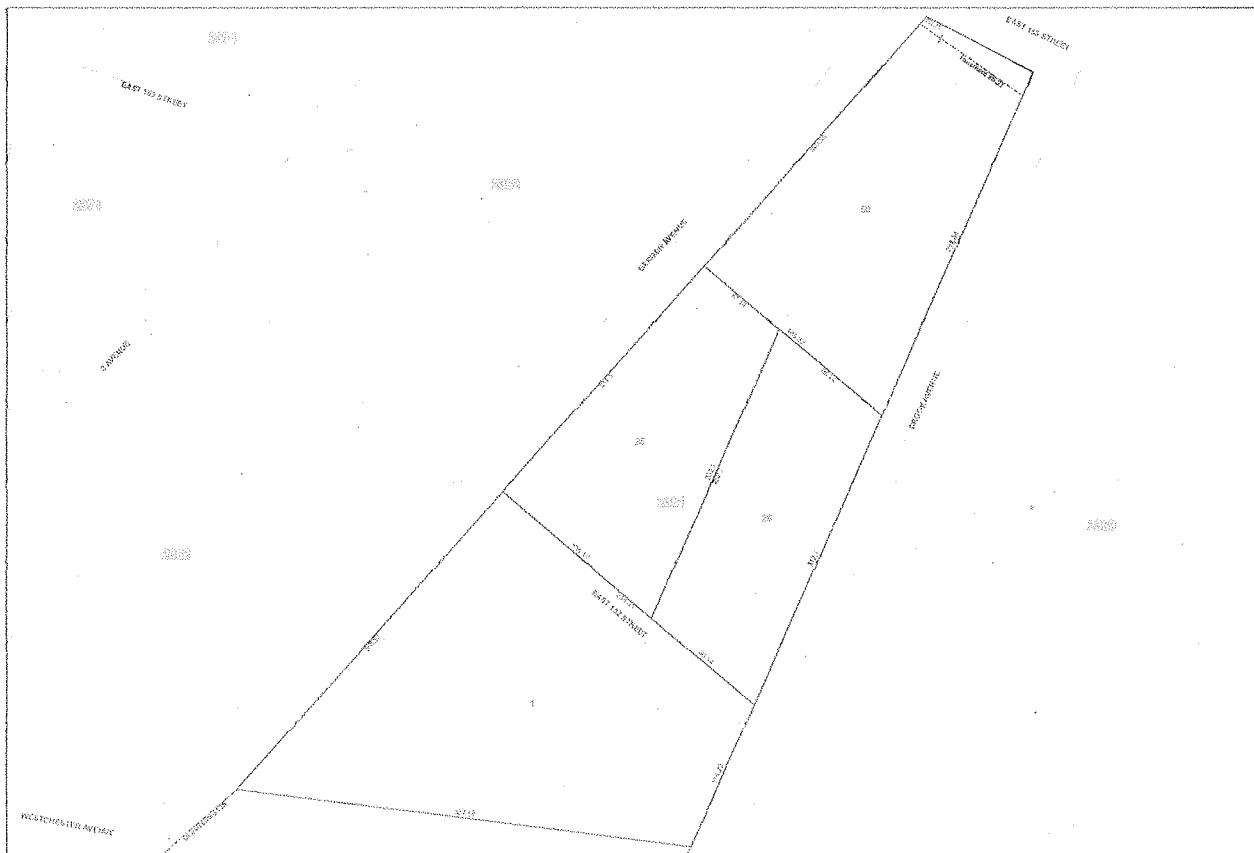
Finance
NYC Digital Tax Map

Effective Date: 01-25-2010 15:38:37
 Edition: Current
 Project: Block 2201



Legend

- Street
- Manhattan Island
- Predecessor Block
- Boundary Line
- and are shown in black
- Single
- Double
- Tax lot
- Tax lot
- Parcel Number
- Tax Block Polygon





NYC Digital Tax Map

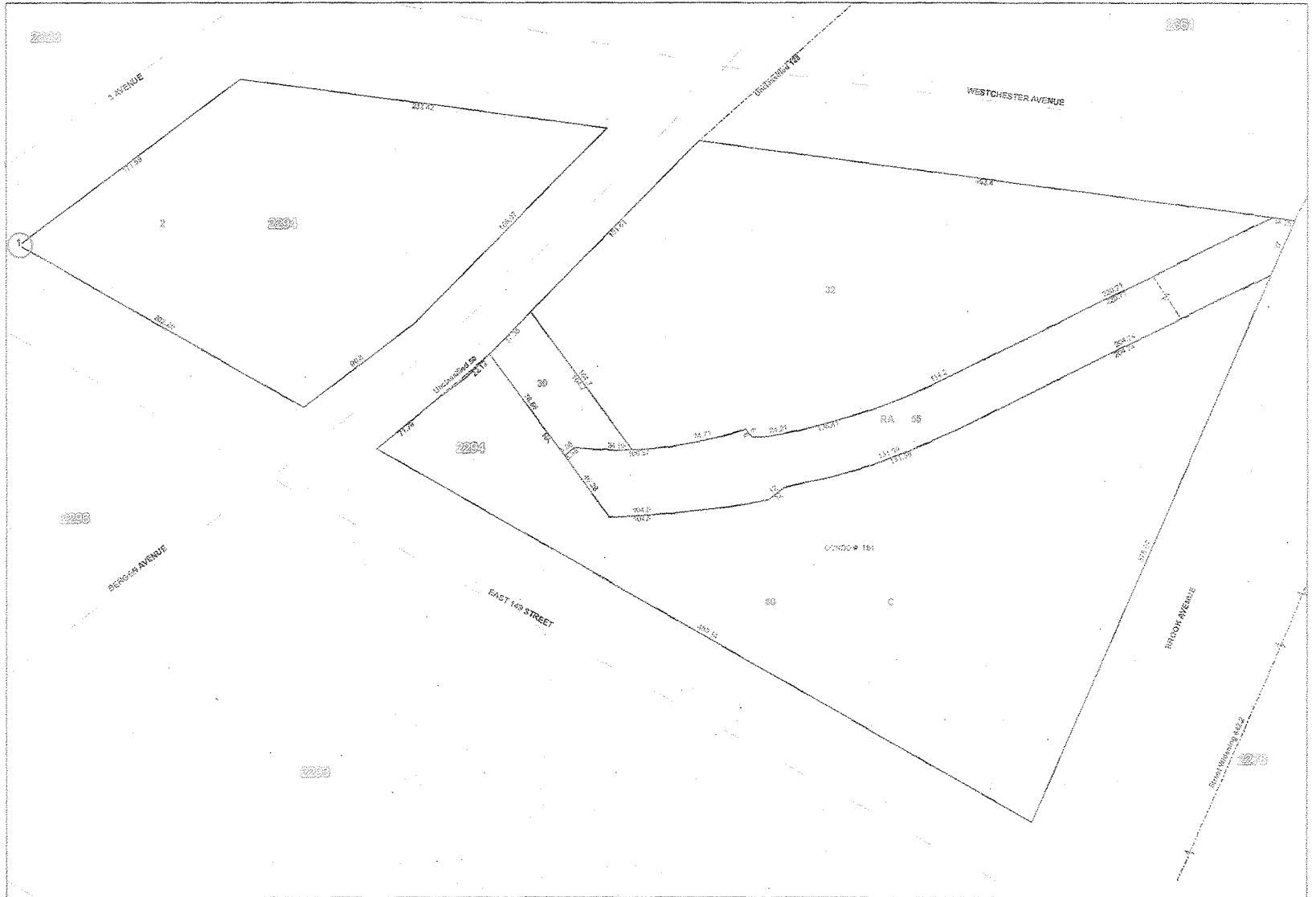
Effective Date: 02-02-2015 10:49:33
End Date: Current

Bronx Block: 2294



Legend

- Streets
- Miscellaneous Text
- Possession Rights
- Boundary Lines
- Lot Face Possession Marks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon



**MANAGING MANAGERS' CONSENT AND CERTIFICATE
LA CENTRAL MANAGER LLC**

The undersigned are the managing members ("Managing Members") of La Central Manager LLC, (the "Company"), and hereby certify as follows and adopt the following resolutions and authorize the Company to take the following actions:

1. The Managing Members hereby authorize and direct the Company to take the necessary steps to complete and execute the New York State Department of Environmental Conservation ("DEC") Brownfield Cleanup Program (BCP) Application to Amend Brownfield Cleanup Agreement Index Number: C203086-09-16 as Amended November 20, 2017 and January 29, 2020 (the "Amendment") for BCP Site Number C203086 (the "Project Site");

2. The Managing Members hereby approve and authorize Aaron Kaufman and Geoffroi Flournoy, each be appointed as authorized signatories of the Company, (each an "Authorized Signatory," and together, the "Authorized Signatories"), each having the authority to sign on behalf of the Company, on its own behalf and as manager of La Central Managing Member LLC, on its own behalf and as managing member of La Central Owner LLC, on its own behalf and as manager of La Central LIHTC Owner LLC, to:

- a. Execute any and all documents in connection with the Amendment by the Company for participation in the BCP;
- b. Enter into any and all agreements with DEC in connection with the Company's participation in the BCP;
- c. Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to amendments, agreements, and tax returns;
- d. Take any action necessary or appropriate to the furtherance of the Company's participation in the BCP on behalf of the Company, with the further express authorization to delegate all or any portion of the authority described in this subsection to third party consultant(s), pursuant to written delegation executed by the Authorized Signatory.


3. The taking of any action or the execution of such documents and/or instruments by any Authorized Signatory pursuant to the terms of these resolutions shall be deemed conclusive evidence of the determination of such executing person that such action or execution was appropriate and in the best interests of the Company;

4. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the execution and delivery of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the controlling member of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.

(Signatures on following page)

The undersigned hereby represents and warrants that each is authorized to bind the Company, and the signature set forth opposite his name below is his actual signature.

HUDSON HUB LLC

By: 
Name: Aaron Koffman
Title: Authorized Signatory
Date: 2/19/20

BRP BRONXCHESTER LLC

By: _____
Name: Geoffroi Flournoy
Title: Authorized Signatory
Date:

**MANAGERS' CONSENT AND CERTIFICATE
LA CENTRAL NMTC LLC**

The undersigned are the managing members of La Central NMTC, (the "Company"), and hereby certify as follows and adopt the following resolutions and authorize the Company to take the following actions:

1. The Managers hereby authorize and direct the Company to take the necessary steps to complete and execute the New York State Department of Environmental Conservation ("DEC") Brownfield Cleanup Program (BCP) Application to Amend Brownfield Cleanup Agreement Index Number: C203086-09-16 as Amended November 20, 2017 and January 29, 2020 (the "Amendment") for BCP Site Number C203086 (the "Project Site");

2. The Members hereby approve, authorize, ratify, direct and consent to the execution, in the name of and on behalf of the Company, by Aaron Kaufman and Geoffroi Flournoy, (each an "Authorized Signatory," and together, the "Authorized Signatories") of the Company, to:

- a. Execute any and all documents in connection with the Amendment by the Company for participation in the BCP;
- b. Enter into any and all agreements with DEC in connection with the Company's participation in the BCP;
- c. Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to amendments, agreements, and tax returns;
- d. Take any action necessary or appropriate to the furtherance of the Company's participation in the BCP on behalf of the Company, with the further express authorization to delegate all or any portion of the authority described in this subsection to third party consultant(s), pursuant to written delegation executed by the Authorized Signatory.

3. The taking of any action or the execution of such documents and/or instruments by any Authorized Signatory pursuant to the terms of these resolutions shall be deemed conclusive evidence of the determination of such executing person that such action or execution was appropriate and in the best interests of the Company;

4. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the execution and delivery of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the controlling member of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.

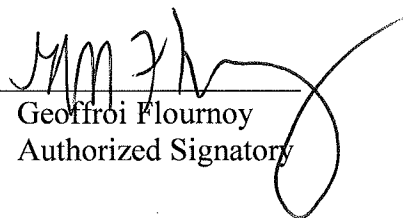
(Signatures on following page)

The undersigned hereby represents and warrants that each is authorized to bind the Company, and the signature set forth opposite his name below is his actual signature.

HUDSON HUB LLC

By: _____
Name: Aaron Koffman
Title: Authorized Signatory
Date:

BRP BRONXCHESTER LLC

By:  _____
Name: Geoffroi Flourney
Title: Authorized Signatory
Date:

LA CENTRAL SUPPORTIVE HOUSING DEVELOPMENT FUND CORPORATION

MINTUES OF A MEETING OF THE BOARD OF DIRECTORS

February __, 2020

The following resolutions were adopted at a meeting of the Board of Directors of La Central Supportive Housing Development Fund Corporation (the "Corporation"), proper notice of which was given to, or waived by, each of the members of the Board of Directors, and at which a quorum was present:

1. The Board of Directors of the Corporation hereby authorize and direct the Corporation to take the necessary steps to complete and execute the New York State Department of Environmental Conservation ("DEC") Brownfield Cleanup Program (BCP) Application to Amend Brownfield Cleanup Agreement Index Number: C203086-09-16 as Amended November 20, 2017 and January 29, 2020 (the "Amendment") for BCP Site Number C203086 (the "Project Site");

2. The Board of Directors of the Corporation hereby approve, authorize, ratify, direct and consent to the execution, in the name of and on behalf of the Corporation by any officer, including but not limited to David Beer, Vice President of the Corporation, of the following:

- a. Any and all documents in connection with the Amendment by the Corporation for participation in the BCP;
- b. Any and all agreements with DEC in connection with the Corporation's participation in the BCP;
- c. Any and all documents in connection with the Corporation's participation in the BCP, including but not limited to amendments, agreements, and tax returns;

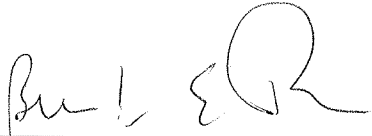
3. The Board of Directors of the Corporation hereby approves, authorizes, ratifies, directs and consents to the execution, in the name of and on behalf of the Corporation, by any officer, including but not limited to David Beer as Vice President of the Corporation, to take any action necessary or appropriate to the furtherance of the Corporation's participation in the BCP on behalf of the Corporation, with the further express authorization to delegate all or any portion of the authority described in this subsection to third party consultant(s), pursuant to written delegation executed by the Authorized Signatory.

3. The taking of any action or the execution of such documents and/or instruments by any Authorized Signatory pursuant to the terms of these resolutions shall be deemed conclusive evidence of the determination of such executing person that such action or execution was appropriate and in the best interests of the Corporation;

4. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the execution and delivery of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a resolution duly adopted by the controlling member of the Corporation. Any such revocation shall be effective only as to actions taken by the Corporation subsequent to DEC's receipt of such notice.

(Signatures on following page)

I, Brenda Rosen, the President of La Central Supportive Housing Development Fund Corporation certify that the foregoing resolutions were adopted unanimously at a meeting of the La Central Housing Development Fund Corporation, at which a quorum was present, held on the date and year first written above.



Name: BRENDA ROSEN
Title: PRESIDENT

**MANAGING MEMBERS' CONSENT AND CERTIFICATE
LA CENTRAL SUPPORTIVE L.P.**

The undersigned being the managing member ("Managing Member") of La Central Supportive Housing LLC, a New York limited liability company ("General Partner"), the general partner of La Central Supportive L.P. (the "Partnership"), hereby certifies as follows and adopts the following resolutions and authorizes the General Partner, on its own behalf and on behalf of the Partnership to take the following actions:

1. The Managing Member hereby authorizes and directs the General Partner to authorize and direct the Partnership to take the necessary steps to complete and execute the New York State Department of Environmental Conservation ("DEC") Brownfield Cleanup Program (BCP) Application to Amend Brownfield Cleanup Agreement Index Number: C203086-09-16 and Amendments dated November 20, 2017 and January 29, 2020 (the "Amendment") for BCP Site Number C203086 (the "Project Site");

2. The Managing Member hereby approves and authorizes David Beer as Vice President of the managing member of the Managing Member to be authorized to sign on the behalf of the Managing Member, on its own behalf and on behalf of the General Partner, on its own behalf and on behalf of the Partnership to do the following:

- a. Execute any and all documents in connection with the Amendment by the Company for participation in the BCP;
- b. Enter into any and all agreements with DEC in connection with the Company's participation in the BCP;
- c. Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to amendments, agreements, and tax returns;
- d. Take any action necessary or appropriate to the furtherance of the Company's participation in the BCP on behalf of the Company, with the further express authorization to delegate all or any portion of the authority described in this subsection to third party consultant(s), pursuant to written delegation executed by the Authorized Signatory.

3. The taking of any action or the execution of such documents and/or instruments by any Authorized Signatory pursuant to the terms of these resolutions shall be deemed conclusive evidence of the determination of such executing person that such action or execution was appropriate and in the best interests of the Company;

4. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the execution and delivery of this consent are hereby approved and ratified. The authority hereby conferred shall continue in full force and effect until the DEC shall have received notice, in writing, of the revocation hereof by a

resolution duly adopted by the controlling member of the Company. Any such revocation shall be effective only as to actions taken by the Company subsequent to DEC's receipt of such notice.

(Signatures on following page)

The undersigned hereby represents and warrants that each is authorized to bind the Company, and the signature set forth opposite his name below is his actual signature.

La Central Supportive Housing LLC

By: La Central Supportive Housing
Development Fund Corporation, its
managing member

By: 

Name: BRENDA ROSEN

Title: PRESIDENT

Date: 2/14/2020