



**U.S. Department of Housing and Urban Development**  
New York State Office  
Jacob K. Javits Federal Building  
26 Federal Plaza  
New York, New York 10278-0068  
<http://www.hud.gov/local/nyn/>

December 4, 2017

Ms. Chantelle Okarter  
Acting Commissioner  
Department of Planning and Community Development  
1 Roosevelt Square – City Hall  
Mount Vernon, NY 10701

Dear Acting Commissioner Okarter:

Subject: CDBG 2010 Conflict of Interest Exception Granted to Roberta Apuzzo

On December 12, 2010, we granted an exception to the CDBG conflict of interest prohibitions set forth at 24 CFR 570.611 for Ms. Roberta Apuzzo, then Executive Director of Community Service Associates, a soup kitchen/service agency operating in Mount Vernon.

Part of the basis for HUD granting the 2010 exception included a stipulation contained in the City Council resolution notifying the public of the conflict that “Councilwoman Apuzzo will refrain from voting on any matters pertaining to CSA.” Because Ms. Apuzzo only recently had been elected to serve on the council in 2010 and pledged to refrain from taking part in any decision-making involving her organization, HUD granted the exception as we believed the fiduciary conflict was ministerial and not intentional.

In the summer of 2017, we were informed by representatives of Mount Vernon that since December of 2010, Ms. Apuzzo had ascended to the position of City Council President, and had also been a vocal proponent of CDBG funding for CSA in the 2017 Action Plan. The CDBG conflict of interest regulations allow exceptions to be granted by HUD where prohibited conflicts are incidental in nature, participation is carried out in compliance with regulations, and the prohibited contract or interest would have other merits to the CDBG program.

Taking an active role in decision-making affecting funding for contracts or projects in which Ms. Apuzzo also has a direct financial interest is contrary to the spirit and intent of the exception we granted in December of 2010. If asked at this time under the current circumstances, HUD would not grant an exception to allow Ms. Apuzzo as a “covered person” under the CDBG regulations to participate and obtain a prohibited financial interest.

We’ve attached a copy of the City’s original June 21, 2010 request and our December 2010 approval notification for your reference. If you have additional questions on this matter, please contact Ms. Lisa Lockley, your CPD Representative, at (212) 542-7429 or by email at [melissa.d.lockley@hud.gov](mailto:melissa.d.lockley@hud.gov)

Sincerely,

A handwritten signature in black ink that reads "Vincent Hom".

Vincent Hom  
Director  
Community Planning and Development

CF



U.S. Department of Housing and Urban Development  
Office of the Regional Director for NY/NJ  
Jacob K. Javits Federal Building  
26 Federal Plaza, Suite 3541  
New York, New York 10278-0068  
Direct Dial - 212-264-4377

DEC 12 2010

Ms. Carmen Sylvester  
Executive Director  
Department of Planning and Community Development  
Mount Vernon Urban Renewal Agency  
City Hall, 2<sup>nd</sup> Floor  
Roosevelt Square  
Mount Vernon, NY 10550-2060

Dear Ms. Sylvester:

Subject: Conflict of Interest request re: Ms. Roberta Apuzzo

This responds to your request for guidance from our office dated June 21, 2010, on behalf of Ms. Roberta Apuzzo, concerning an exception to the conflict of interest prohibitions set forth at 24 CFR 570.611.

Our office forwarded your request to the HUD Office of Regional Counsel for consideration. Upon review, the HUD Office of Regional Counsel determined that Ms. Apuzzo's election to the City Council would be considered a conflict of interest, as the City Council plays a role in funding the non-profit of which Ms. Apuzzo was once Executive Director. The Counsel's office goes on to say that exceptions could be granted if the threshold requirements are met.

The HUD Office of Regional Counsel determined that Ms. Apuzzo's case met the threshold requirements. The exception to the conflict of interest provisions at 24 CFR 570.611 has been granted.

If there are any questions in regard to the Authority to Use Grant Funds, please have an appropriate member of your staff contact Shawna Burrell, CPD Representative, at (212) 542-7431.

Sincerely,

*V. Hom* 12/22/10

Vincent Hom  
Director  
Community Planning and Development

CONCURRENCE:

BURRELL  
12/2/2010

ANDREO  
*M. Andreo*  
12/2/10



**Department of Planning &  
Community Development**  
Mount Vernon Urban Renewal Agency  
City Hall - Roosevelt Square  
Mount Vernon, New York 10550-2060  
(914) 699-7230 • FAX (914) 699-1435

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**HUD-CPD**

Clinton I. Young, Jr.  
Mayor

Jeffrey S. Williams AICP, Commissioner  
Carmen Sylvester, Executive Director

June 21, 2010

Mr. Vincent Hom, CPD Director  
United States Department of Housing & Urban Development  
New York Region  
26 Federal Plaza  
New York, New York 10268-0068

Re: United States Department of Housing & Urban Development (HUD),  
Community Development Block Grant Program (CDBG) and Housing Opportunities for  
People with Aids Program (HOPWA)

Dear Mr. Hom:

As you know, I am the Executive Director of the Mount Vernon Urban Renewal Agency (the Agency). As such, I write to you regarding an apparent Conflict of Interest that has presented itself in one of the Agency's sub-recipient contracts as of January 1, 2010. Pursuant to the provisions of 24 CFR 570.611, I am requesting that HUD consider granting an exception to the prohibitions of 24 CFR 570.611.

Community Services Associates, Inc. is a 501(c) (3) New York not-for-profit corporation which has operated a soup kitchen in the basement of the Sacred Heart Church in Mount Vernon for many years. Ms. Roberta Apuzzo has been employed as the Executive Director of CSA's soup kitchen program with laudable results, also for many years.

In November, 2009, Ms. Apuzzo was elected as a City Councilperson for the City of Mount Vernon, New York (the City), the City's legislative governing body, and taking office on January 1, 2010.

Mr. Vincent Hom, CPD Director  
United States Department of Housing & Urban Development

In addition, Mr. Jared Apuzzo, Ms. Apuzzo's son has also been an employee of CSA at the Soup Kitchen for a period of time as well.

I believe by reason of Ms. Apuzzo's recent election to the Mount Vernon City Council that in relation to the Agency's funding under the CDBG and HOPWA Programs of the CSA operated soup kitchen the employment of both the people I have mentioned above presents, in my judgment, a conflict of interest pursuant to 24 CFR 570.611.

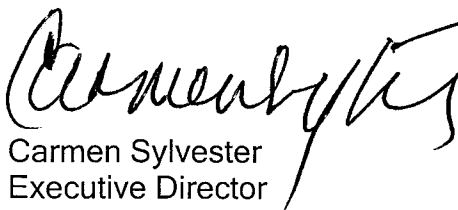
The Agency's counsel also believes the employment of Ms. Apuzzo and her son presents a conflict of interest pursuant to 24 CFR 570.611 and suggested I write to you regarding the same. The Agency has funded CSA for many years and would very much like to continue to do so because of the exceptional service provided to the Homeless and hungry by the soup kitchen program I have described.

Therefore, for your perusal, I attach copy of my Agency Counsel's opinion and respectfully request that as CPD Director for the New York Region of HUD consider granting an exception pursuant to the provisions of 24 CFR 570.611 to allow the Agency to execute sub-recipient contracts with CSA allowing both Ms. Apuzzo and her son to be employed thereunder despite the conflict of interest issue.

If you have any other questions, please call me directly.

Very truly yours,

MOUNT VERNON URBAN RENEWAL AGENCY



Carmen Sylvester  
Executive Director



CITY OF MOUNT VERNON  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
MOUNT VERNON URBAN RENEWAL AGENCY  
CITY HALL - ROOSEVELT SQUARE  
MOUNT VERNON, NEW YORK 10550 - 2060  
(914) 699 -7230 Fax (914) 699 -1435

CLINTON I. YOUNG, JR.  
MAYOR

CARMEN SYLVESTER  
EXECUTIVE DIRECTOR

June 14, 2010

Ms. Carmen Sylvester, Executive Director  
Mount Vernon Urban Renewal Agency  
City Hall - Second Floor  
Mount Vernon, New York 10550

Re: 24 CFR 570.611 Councilwoman Roberta Apuzzo

Dear Ms. Sylvester:

As Executive Director of the Mount Vernon Urban Renewal Agency (the "Agency") which administers all federal contracts on behalf of the City of Mount Vernon, New York, you have asked for my opinion regarding whether the employment of City Councilwoman Roberta Apuzzo as Executive Director of Community Service Associates, Inc. (CSA) and her son Jared Apuzzo as an employee of CSA (a sub-recipient of the Agency), constitutes a conflict of interest under state or local law.

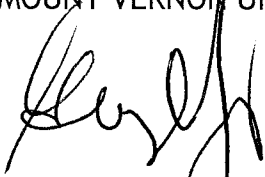
I provide this opinion as part of a request by the Agency for an exception for Councilwoman Apuzzo and her son pursuant to 24 CFR 570.611(d) (1) (ii).

Based upon the passage by the Mount Vernon City Council of its Resolution No. 16 on April 14, 2010 disclosing the employment of Councilwoman Apuzzo and her son, Jared Apuzzo by CSA and that said Resolution provides that Councilwoman Apuzzo will refrain from voting on any matters pertaining to CSA and further, the publication of a Notice dated April 23, 2010 in various editions of the Gannett Journal News, a daily newspaper of significant circulation in the City of Mount Vernon and its environs, disclosing the possibility of such a conflict of interest, I am satisfied that there exists no violation of New York State or local law.

Should you have any further questions, please advise.

Very truly yours,

MOUNT VERNON URBAN RENEWAL AGENCY

A handwritten signature in black ink, appearing to read 'Gregory P. Young', written over the typed name below.

Gregory P. Young  
Agency Counsel