

**Weatherization Assistance Program 2009 American Recovery and Reinvestment Act (ARRA)
Summary of Public Comments Received (Page 1 of 7)**

Commenter	2009 State Plan and ARRA Comments	DHCR Response
<p>Mr. Barry Seebachen, Bronx Shepherds Restoration Corporation (BXSH) Mr. David Hepinstall, Association for Energy Affordability, Inc. (AEA) Ms. Frances Fuselli, Northwest Bronx Community & Clergy Coalition (NWBX) Ms. Denise Harlow, NYS Community Action Association (NYSCAA) Mr. Daniel Rieber, Northern Manhattan Improvement Corporation (NMIC) Ms. Maureen Pedrotti, Community Development Corporation of Long Island, Inc. (CDCLI) Ms. Vera Parpis, HANAC Ms. Hilary Lamishaw, NeighborWorks Alliance of NYS Ms. Lydia Tom/Ms. Victoria Shire Enterprise Community Partners, Inc. Ms. Ariel Behr, Local Initiatives Support Corporation (LISC) Mr. Rodney Washington, Action for A Better Community, Inc. (ABC) Mr. Charles Darden, Regional Economic Community Action Program (RECAP)</p>	<p>Recommends that DHCR allow additional flexibility with regard to owner investment.</p>	<p>DHCR will continue to require that owners contribute to the cost of Weatherization Assistance Program (WAP) work, as a way to meet the DOE requirement that no undue or excessive enhancement accrue to building owners. However, DHCR recognizes that the current economic situation has created difficulties for many owners of buildings occupied by low-income households and will issue additional guidance to subgrantees providing guidelines for obtaining waivers of owner investment.</p>

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<p>Mr. Thomas Holmes, ZeroDraft CNY, Inc. Ms. Ariel Behr, LISC Mr. Kenneth Burgess, Dutchess County Community Action Partnership (DCCAP) Mr. Rodney Washington, ABC Mr. Andrew Stone, NYS Weatherization Directors Association (NYSWDA) Ms. Denise Harlow, NYSCAA Mr. Joseph Barden, Margert Community Corporation (Margert) Mr. David Hepinstall, AEA</p>	<p>Supports the inclusion of training and technical assistance (T&TA) for subgrantees as part of the Plan.</p>	<p>DHCR believes that a strong training and technical assistance effort is essential to the successful implementation of ARRA funding.</p>
<p>Mr. Andrew Stone, NYSWDA Mr. David Hepinstall, AEA</p>	<p>Supports expansion of training centers for NYSWDA and AEA.</p>	<p>DHCR agrees that the training centers are a very important part of the effort to continue to provide effective training for subgrantee staff.</p>
<p>Mr. Barry Seebachen, BXSH Mr. David Hepinstall, AEA Mr. Wendell Rice, Bedford Stuyvesant Restoration Corporation (BSRC) Mr. Daniel Rieber, NMIC</p>	<p>Supports AEA as provider of T&TA in the downstate region.</p>	<p>DHCR plans on utilizing AEA as an important partner in providing T&TA to subgrantees.</p>
<p>Ms. Carrie Kahn, Erie Community College Mr. Paul Shatsoff, Workforce Development Institute Mr. David Hepinstall, AEA Mr. Andrew Stone, NYSWDA</p>	<p>Looks forward to working collaboratively as a training partner with DHCR, NYSERDA and others to develop training, an industry-driven curriculum and job opportunities in weatherization.</p>	<p>DHCR intends to coordinate wherever possible with the NYS Dept of Labor/OTDA/NYSERDA, and other State agencies, believing that the task of identifying and training the diversified work force needed for ARRA requires a comprehensive effort.</p>
<p>Mr. David Hepinstall, AEA Mr. Joseph Barden, Margert Ms. Frances Fuselli, NWBX Mr. Andrew Stone, NYSWDA</p>	<p>Supports DHCR's implementation of certification requirements through the Building Performance Institute.</p>	<p>DHCR is committed to maintaining high technical standards in implementing the ARRA funding.</p>

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<p>Mr. Joseph Barden, Margert Mr. Wendell Rice, BSRC</p>	<p>Applauds DHCR's commitment to coordination with other State agencies and organizations.</p>	<p>DHCR strongly supports coordination with all state agencies realizing that our strength comes from our unity, sharing of resources and knowledge to improve client services.</p>
<p>Mr. David Hepinstall, AEA Ms. Lydia Tom/Ms. Victoria Shire Enterprise Community Partners, Inc.</p>	<p>Supports and encourages the leveraging of WAP funds with other organizations and housing resources.</p>	<p>DHCR believes that leveraging WAP resources with other public and private funds can maximize the overall benefit to low-income households.</p>
<p>Ms. Frances Fuselli, NWBX Mr. Charles Darden, RECAP Ms. Maureen Pedrotti, CDCLI Ms. Vera Parpis, HANAC</p>	<p>Expresses concern that prevailing wage requirements of Davis-Bacon Act will limit work done for households.</p>	<p>DHCR has requested written clarification from US DOE on prevailing wage requirements as they apply to ARRA activities.</p>
<p>Mr. Myles Lennon, Laborer's Local 10 Mr. Byron Silva, Laborer's Local 10</p>	<p>Recommends that DHCR identify a standard wage threshold for all WAP-related work.</p>	<p>Wages for local WAP staff are beyond the scope of DHCR authority ; they are set by state and federal law and the free market place.</p>
<p>Ms. Mary Oesterreich, Consortium for Worker Education</p>	<p>Recommends that the WAP assure job quality, prevailing wages, training and career pathways in hiring new staff.</p>	<p>DHCR supports efforts to assure job quality, training, and fair wages, and believes certification of subgrantee staff is an important step in attaining all of these goals.</p>
<p>Ms. Denise Harlow, NYSCAA Mr. Andrew Stone, NYSWDA</p>	<p>Supports increase in advance amount to 25%.</p>	<p>DHCR believes a 25% advance is appropriate to support the timely purchase of tools, equipment, materials, and hiring of additional staff.</p>
<p>Ms. Denise Harlow, NYSCAA</p>	<p>Recommends that DHCR consider community action agencies when seeking new subgrantees.</p>	<p>DHCR strongly supports community action and will comply with the requirements of 10 CFR 440.</p>
<p>Mr. Barry Seebachen, BXSH Mr. Kenneth Burgess, Dutchess County Community Action Partnership Mr. Daniel Rieber, NMIC Mr. Francis Rodriguez, AEA</p>	<p>Does not support the use of temporary subgrantees.</p>	<p>The use of temporary subgrantees is warranted to ensure successful implementation of ARRA funds within the limited time allowed. DHCR will comply all regulatory requirements in selecting subgrantees.</p>

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<p>Mr. David Hepinstall, AEA Mr. Joseph Barden, Margert Mr. William Vogt, Chautauqua Opportunities, Inc. Mr. Andrew Stone, NYSWDA Ms. Vera Parpis, HANAC</p>	<p>Expresses concern with regard to temporary subgrantees and possible conflicts of interest and/or possible negative effects on existing subgrantees.</p>	<p>DHCR will comply all regulatory requirements in selecting subgrantees and will work to coordinate efforts of all subgrantees to minimize conflicts.</p>
<p>Mr. Rodney Washington, ABC Mr. James Reilly/ Ms. Joan Catalano, Northfield Local Development Corporation (NLDC) Ms. Denise Harlow, NYSCAA Ms. Maureen Pedrotti, CDCLI Mr. Andrew Stone, NYSWDA Ms. Vera Parpis, HANAC</p>	<p>Does not support \$250,000 cap of administrative funds for agencies with allocations above \$5 million.</p>	<p>DHCR has revised the Recovery Act plan to eliminate this cap.</p>
<p>Mr. James Reilly/Ms. Joan Catalano, NLDC</p>	<p>Recommends that DHCR reconsider its pollution insurance coverage requirements and notes that it is not mandated under DOE guidance.</p>	<p>DHCR intends to continue requiring pollution insurance for now while evaluating this issue in consultation with USDOE and other industry experts.</p>
<p>Mr. David Hepinstall, AEA</p>	<p>Supports targeting of multi-family housing.</p>	<p>DHCR agrees and believes this is good public policy and consistent with ARRA goals.</p>
<p>Ms. Lydia Tom/Ms. Victoria Shire Enterprise Community Partners, Inc.</p>	<p>Applauds DHCR for targeting resources to assist renter-occupied housing.</p>	<p>DHCR agrees and believes ARRA funding will allow a significant opportunity to preserve affordable housing for moderate and low income tenants</p>
<p>Mr. Barry Seebachen, BXSH Mr. Joseph Barden, Margert Community Corporation Mr. James Reilly/Ms. Joan Catalano, NLDC Mr. Andrew Stone, NYSWDA Ms. Denise Harlow, NYSCAA Mr. Wendell Rice, BSRC</p>	<p>Supports increase in CPU to \$6,500</p>	<p>DHCR also supports this increase and believes it will allow a greater scope of energy and health and safety work to be performed in accordance with the findings of the building energy audit. DHCR expects the CPU to vary in accordance with the building's potential to save energy.</p>

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Ms. Maureen Pedrotti, CDCLI Ms. Vera Parpis, HANAC		
Mr. James Reilly/Ms. Joan Catalano, NLDC	Supports change in re-weatherization date. Recommends that this continue; would prefer a fixed time period of ten years.	DHCR also supports this change.
Mr. Barry Seebachen, BXSH	Recommends that production based set-aside funding under the ARRA plan not be a part of regular WAP funding.	DHCR intends to keep ARRA funding and regular WAP funding separate in keeping with State and Federal guidelines on the use of Recovery Act funds.
Mr. David Hepinstall, AEA Ms. Denise Harlow, NYSCAA Mr. Andrew Stone, NYSWDA Mr. Wendell Rice, BSRC Mr. Daniel Rieber, NMIC	Supports well structured production based set-aside funding that is implemented taking into account all phases involved in completing the work. Requests more detail on incentive pool from DHCR.	DHCR is developing guidelines on the production based set-aside/incentive pool and will provide them to subgrantees when completed.
Ms. Ariel Behr, LISC	Supports DHCR's creation of a targeted multi-family set-aside to address weatherization and sees the low-income housing tax credit portfolio as a candidate for inclusion in the ARRA.	DHCR believes this initiative is consistent with the goals of ARRA and will provide significant resources for this crucial housing sector.
Ms. Lydia Tom/Ms. Victoria Shire Enterprise Community Partners, Inc.	Recommends that DHCR streamline the income eligibility process to make it less cumbersome.	DHCR is limited in any initiative to streamline the eligibility process because it is Federally regulated through 10CFR 440 the US DOE Program Regulations. DHCR will make every effort to streamline within the limited options provided by Federal regulations.
Ms. Lydia Tom/Ms. Victoria Shire Enterprise Community Partners, Inc.	Recommends that DHCR propose a national standard for energy audits to be used by multiple funding sources.	All energy audit standards under the WAP are set by US DOE; all energy audits used by the states must be approved by US DOE every five years.
Ms. Frances Fuselli, NWBX	Recommends streamlined audit process.	Energy audit standards are set by US DOE.

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Ms. Mary Oesterreich, Consortium for Worker Education	Recommends an intermediary be appointed to perform worker training and business development , including training on TREAT, TIPS and EQUIP.	DHCR is reviewing its training plans to ensure that adequate training and technical assistance will be available to support the expansion of the program made possible by ARRA.
Ms. Lydia Tom/Ms. Victoria Shire Enterprise Community Partners, Inc.	Recommends that DHCR allow DOE funds in Low-Income Housing Tax Credit Projects without affecting eligibility or reducing amount of tax credits for a project.	DHCR will explore all opportunities to coordinate assistance while maintaining compliance with the requirements of both programs.
Ms. Lydia Tom/Ms. Victoria Shire Enterprise Community Partners, Inc.	Recommends DHCR provide additional outreach on accessing WAP funding.	DHCR is planning to increase program outreach efforts.
Mr. Lawrence Klaus, Home Net Solutions	Would like to be a temporary subgrantee to create a network of contractors to provide weatherization services.	DHCR may issue a request for qualifications in the near future to identify temporary program subgrantees.
Mr. John Murphy, Chautauqua Home Rehab. And Improvement Corp. Ms. Susan Fine	Supports expansion of current WAP delivery system to include existing rehab, housing organizations, and others.	DHCR may issue a request for qualifications in the near future to identify temporary program subgrantees.
Mr. Gustavo Rosado, El Barrio's Operation Fightback, Inc. Ms. Lydia Tom/Ms. Victoria Shire Enterprise Community Partners, Inc.	Looks forward to working collaboratively with DHCR in addressing the affordable housing and energy needs of the low-income.	DHCR is committed to working with all state and local partners interested and qualified to address the housing and energy needs of low income New Yorkers using ARRA funds and other resources.
Ms. Hilary Lamishaw, NeighborWorks Alliance of NYS Ms. Roxanne Gillen, Oswego Housing Development Council (OHDC)	Recommends DHCR consider providing not-for-profit agencies operating housing and rehab program access to weatherization funding and/or temporary subgrantee status under the ARRA Plan.	DHCR may issue a request for qualifications in the near future to identify temporary program subgrantees.
Ms. Catherine Springer, Springer LLC Mr. Rudy LaMarr, Newburgh Community Action Committee, Inc. Ms. Wanda Salaman, Mothers on the Move	Expressed an interest in becoming a weatherization subgrantee.	DHCR may issue a request for qualifications in the near future to identify temporary program subgrantees.

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<p>Ms. Mary Oesterreich, Consortium for Worker Education Ms. Roxanne Gillen, OHDC Aga Trojniak, Flatbush Development Corp. Ms. Alice Dickinson, Orange County Rural Development Advisory Council</p>		
<p>Ms. Mary Oesterreich, Consortium for Worker Education</p>	<p>Advises against discontinuing the requirement that sub-grantees have a certified lead abatement supervisor.</p>	<p>This reflects a technical change to US DOE program requirements. DHCR will continue to require that all program work is done follow lead-safe work protocols, in compliance with federal lead hazard control rules.</p>
<p>Ms. Mary Oesterreich, Consortium for Worker Education</p>	<p>Recommends that all workers on WAP projects be required to complete OSHA training.</p>	<p>DHCR will continue to require that all WAP work be performed in accordance with OSHA requirements</p>
<p>Mr. Levon Chambers, Laborer’s Local 10</p>	<p>Proposes training and unionizing workers in the five boroughs of NY and on Long Island in order to perform weatherization work.</p>	<p>DHCR is currently refining training plans to support increase funding through the ARRA.</p>
<p>Ms. Catherine M. Brady, Fordham Bedford Housing Corp. Ms. Heidi Hynes, Mary Mitchell Family & Youth Ctr.</p>	<p>Provided letter in support of Northwest Bronx Community</p>	<p>DHCR acknowledges the support for NWBC.</p>
<p>Hon. Jose Serrano, Member of Congress Ms. Cerita Parker, Environmental Justice Committee Mr. Harvey Epstein, Urban Justice Center Ms. Kellie Terry-Sepulveda, POINT Mr. Albert Huang, Natural Resources Defense Council Ms. Heidi Hynes, Mary Mitchell Family & Youth Ctr.</p>	<p>Provided letter in support of Mothers on the Move.</p>	<p>DHCR acknowledges the support for Mothers on the Move.</p>