FOR CONSIDERATION
December 16, 2010

TO: The Directors

FROM: Dennis M. Mullen

SUBJECT: Statewide – Restore New York Communities – Capital Grants

REQUEST FOR: Land Use Improvement Findings and Determinations Pursuant to Sections 10 (c), 10(g) and 16-n of the Act; Authorization to Adopt the Proposed General Project Plans; Authorization to Make Grants and to Take Related Actions; Authorization to Modify a General Project Plan; Adoption of Findings Pursuant to the State Environmental Quality Review Act; Determinations of No Significant Effect on the Environment

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General Project Plan

I. Project Summary

	Grantee	Project Name	Proj #	Grant	Village, Town, City	County
A.	City of Syracuse	Syracuse – RESTORE III – The Connective Corridor: Building Upwards	X273	$5,000,000	Syracuse	Onondaga
B.	Village of Seneca Falls	Seneca Falls – RESTORE III – Knitting Mill Rehabilitation	W824	$2,500,000	Seneca Falls	Seneca
C.	Town of Hempstead	Hempstead - RESTORE III - Elmont Hempstead Turnpike Commerical Renovations	W858	$2,412,000	Hempstead	Nassau
D.	Village of Johnson City	Johnson City – RESTORE III – Brownfield Redevelopment and Revitalization	W798	$914,000	Johnson City	Broome
E.	Village of Whitney Point	Whitney Point – RESTORE III – Downtown Renovation	W852	$410,000	Whitney Point	Broome

F.	City of Port Jervis	Port Jervis – RESTORE II – Downtown Centennial Revitalization	W036	$182,579	Port Jervis	Orange
G.	City of Syracuse	Syracuse – RESTORE II – City Center Core Revitalization	W046	$0*	Syracuse	Onondaga
		TOTAL		**$11,418,579**		

*Second Modification of the General Project Plan. No funds are being approved.

II. Program Description

A. Background

In the 2006-07 and 2007-08 enacted New York State Budgets, ESD received a $300 million appropriation for the Restore New York's Communities initiative ("Restore NY" or the "Program"), which was allocated as follows: up to $50 million in FY 06-07, $100 million in FY 07-08, and $150 million in FY 08-09. The purpose of the Program is to revitalize urban areas and stabilize neighborhoods as a means to attract residents and businesses. Restore NY funds municipally sponsored projects for the demolition, deconstruction, rehabilitation, or reconstruction of vacant, obsolete or surplus structures.

On October 27, 2006, the successful Restore NY Round 1 award winners were announced, and included 79 different projects in 55 localities. The range of selected projects is large and diverse; and to the extent possible, funding was awarded in a geographically proportionate manner. Special consideration was given to projects located in Brownfield Opportunity Areas and Empire Zones; those affected by flooding in June 2006; and communities with severe economic distress or dislocation.

The 64 Restore NY Round 2 award winners were announced on January 15, 2008. Projects were chosen with the intent of connecting community initiatives with economic development goals to serve as catalysts for future development and growth. Priority was given to those projects that would serve to revitalize urban cores, leverage private investment and bring future business expansion to New York's communities.

On September 2, 2009, Governor David A. Paterson announced the award of 79 projects for Restore NY Round 3. These projects span across the New York State in 74 localities as part of the continued effort to revitalize urban areas, stabilize neighborhoods and invite renewed investment in economically distressed communities.

B. The Projects

ESD will make grants to the Grantees for the purpose of enhancing the Grantees' capacity to provide support in revitalizing urban areas and stabilizing neighborhoods as a means to attract residents and businesses in New York State. ESD will enter into an agreement with each Grantee

that will stipulate the manner in which funds will be disbursed.

The attached project schedules provide more detailed descriptions of each recommended project.

III. Statutory Basis

Restore New York Communities Findings:
Land Use Improvement Projects

1. The area in which the project is to be located is a substandard or unsanitary area, or is in danger of becoming a substandard or unsanitary area and tends to impair or arrest sound growth and development of the municipality.
   See attached Project Schedules.

2. The project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.
   See attached Project Schedules.

3. The plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.
   See attached Project Schedules.

4. There are no families or individuals displaced from the Project area.
   No residential relocation is required because there are no families or individuals residing on the sites.

IV. Environmental Review

Unless otherwise noted on a project summary, ESD staff has determined that the projects described in Schedule A constitute Type II actions as defined by the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations for the New York State Department of Environmental Conservation. No further environmental review is required in connection with the projects.

V. Affirmative Action

ESD's Non-Discrimination and Affirmative Action policy will apply unless otherwise noted on the project schedule. The Grantees are encouraged to include minorities and women in any job opportunities created by the projects, and to solicit and utilize Minority and Women-owned Business Enterprises for any contractual opportunities generated in connection with the projects.

VI. ESD Employment Enforcement Policy

ESD's Employment Enforcement Policy will not apply since the projects will not directly create or retain jobs.

VII. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

VIII. Additional Submissions to Directors

Map
Resolutions
Project Summaries (7)

December 16, 2010

Statewide – Restore NY Communities – Capital Grants – Land Use Improvement Findings and Determinations Pursuant to Sections 10 (c), 10(g) and 16-n of the Act; Authorization to Adopt the Proposed General Project Plans; Authorization to Modify a General Project Plan; Authorization to Make Grants and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Restore NY Communities Capital Grant Projects (the "Projects"), the Corporation hereby determines pursuant to Sections 16-n and 10 of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The area in which the project is to be located is a substandard or unsanitary area, or is in danger of becoming a substandard or unsanitary area and tends to impair or arrest sound growth and development of the municipality.

2. The project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.

3. The plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.

4. There are no families or individuals displaced from the Project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plans and Second Modified General Project Plan (collectively the "Plans") for the Projects submitted to this meeting, together with such changes therein as the Chairman and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, a copy of which Plans, together with such changes, are hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written findings of the Chairman and Chief Executive Officer of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearings held on the Plans, such Plans shall be effective at the conclusion of such hearings, and that upon such written findings being made, the Chairman and Chief Executive Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to grants to the parties and for the amounts listed below from Restore NY Communities, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the Chairman and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the Chairman and Chief Executive Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to make grants to the parties and for the amount listed

below from Restore NY Communities, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the Chairman and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the Chairman and Chief Executive Officer of the Corporation or his designee(s) be, subsequent to the making of the grants, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grants as he or she may deem necessary or appropriate in the administration of the grants; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

Restore NY Communities – Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
	Restore NY Communities Projects			
A.	Syracuse – RESTORE III – The Connective Corridor: Building Upwards	X273	City of Syracuse	$5,000,000
B.	Seneca Falls – RESTORE III – Knitting Mill Rehabilitation	W824	Village of Seneca Falls	$2,500,000
C.	Hempstead - RESTORE III - Elmont Hempstead Turnpike Commerical Renovations	W858	Town of Hempstead	$2,412,000
D.	Johnson City – RESTORE III – Brownfield Redevelopment and Revitalization	W798	Village of Johnson City	$914,000
E.	Whitney Point – RESTORE III – Downtown Renovation	W852	Village of Whitney Point	$410,000
F.	Port Jervis – RESTORE II – Downtown Centennial Revitalization	W036	City of Port Jervis	$182,579
G.	Syracuse – RESTORE II – City Center Core Revitalization	W046	City of Syracuse	$0*
			TOTAL	**$11,418,579**

*Second Modification of the General Project Plan. No funds are being approved.

RESOLVED, that the Chairman and Chief Executive Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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