

FOR CONSIDERATION

June 28, 2011

TO: The Directors

FROM: Kenneth Adams

SUBJECT: Non-Discretionary Projects

REQUEST FOR: Findings and Determinations Pursuant to Section 10 (g) of the Act;  
Authorization to Make Grants and to Take Related Actions

---

Attached are the summaries of projects sponsored by the New York State Executive and Legislative Branches:

	<b>Community Projects Fund and Local Assistance (Assembly and Senate)</b>			
	<b>Project Name</b>	<b>Proj #</b>	<b>Grantee</b>	<b>Assistance up to</b>
A	MDA – New York Indoor Environmental Quality Center	W258, W390 and W678	Metropolitan Development Association of Syracuse & Central New York, Inc.	469,000
B	Greater Woodhaven Development Corporation – Working Capital	X309	Greater Woodhaven Development Corporation	39,000
	<b>2 projects (4 grants)</b>		<b>Sub-total</b>	<b>\$508,000</b>
	<b>TOTAL NON-DISCRETIONARY PROJECTS – 2 PROJECTS (4 GRANTS)</b>		<b>TOTAL</b>	<b>\$508,000</b>

I. Statutory Basis

The projects are sponsored by the Executive Office, Assembly or Senate, and were authorized or reappropriated in the 2011-2012 New York State budget. No residential relocation is required as there are no families or individuals residing on the sites.

II. Environmental Review

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

\* The New York State Urban Development Corporation doing business as the Empire State Development Corporation ("ESD" or the "Corporation")

III. Affirmative Action

ESD's Non-Discrimination and Affirmative Action policy will apply to the projects. Unless otherwise noted on a project summary, grantees and/or the beneficiary organizations, as applicable, are encouraged to provide for the meaningful participation of minorities and women in any job or training opportunities created by the projects and to solicit and utilize Minority and Women-owned Businesses for any contractual opportunities generated in connection with the projects.

IV. ESD Employment Enforcement Policy

Unless otherwise noted on a project summary, the ESD Employment Enforcement Policy will not apply since the projects will not directly create or retain jobs.

V. 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.

VI. Additional Requirements

Pursuant to direction received from the New York State Office of the Attorney General ("OAG"), individual project summaries may be subject to comment and approval by the OAG.

Due diligence has been exercised by ESD staff in reviewing information and documentation received from grantees/borrowers and other sources, in preparation for bringing projects to the ESD Directors for approval. The due diligence process also involves coordination with a number of external constituents, including the OAG, and grantees/borrowers have provided ESD with the required Disclosure and Accountability Certifications.

Also, pursuant to s.2879-a of the Public Authorities Law, the Office of the State Comptroller (“OSC”) has notified the Corporation that it will review all grant agreements of more than one million dollars (\$1 million) that are supported with funds from the Community Projects Fund (007). Such grant agreements, therefore, will not become valid and enforceable unless approved by the OSC. A clause providing for OSC review will be included in all grant agreements that are subject to such approval.

VII. Additional Submissions to Directors

New York State Maps  
Resolutions  
Project Summaries

June 28, 2011

Community Projects Fund and Local Assistance - Findings and Determinations Pursuant to Section 10 (g) of the Act; Authorization to Make Grants and to Take Related Actions

---

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 Community Projects Fund and Local Assistance Projects (the "Projects"), the Corporation hereby determines pursuant to Section 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area(s); and be it further

RESOLVED, that the President 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 amounts listed below from the Community Projects Fund and from Local Assistance, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President 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 President 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

Community Projects Fund – Assembly – Project Summary Table

	<b>Project Name</b>	<b>Proj #</b>	<b>Grantee</b>	<b>Assistance up to</b>
A	MDA – New York Indoor Environmental Quality Center	W258	Metropolitan Development Association of Syracuse & Central New York, Inc	125,000
			<b>TOTAL</b>	<b>\$125,000</b>

Local Assistance - Assembly – Project Summary Table

	<b>Project Name</b>	<b>Proj #</b>	<b>Grantee</b>	<b>Assistance up to</b>
A	MDA – New York Indoor Environmental Quality Center	W390, W678	Metropolitan Development Association of Syracuse & Central New York, Inc	344,000
			<b>TOTAL</b>	<b>\$344,000</b>

Community Projects Fund – Senate – Project Summary Table

	<b>Project Name</b>	<b>Proj #</b>	<b>Grantee</b>	<b>Assistance up to</b>
B	Greater Woodhaven Development Corporation – Working Capital	X309	Greater Woodhaven Development Corporation	39,000
			<b>TOTAL</b>	<b>\$39,000</b>

RESOLVED, that the President 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.

\* \* \*