

FOR CONSIDERATION
November 19, 2009

TO: The Directors

FROM: Dennis M. Mullen

SUBJECT: Non-Discretionary Projects

REQUEST FOR: Authorization to Amend the General Project Plan, Project Scope and Budget; Authorization to Name a Beneficiary Organization; Authorization to Make Grants and to Take Related Actions; Determination of No Significant Effect on the Environment; Adoption of Findings Pursuant to the State Environmental Quality Review Act

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

	Empire Opportunity Fund (Executive)			
	Project Name	Proj #	Grantee	Assistance up to
A	County of Erie - Buffalo and Erie County Botanical Gardens Restoration Capital	R482	County of Erie	0 ¹
	1- this \$1M grant was approved by the ESD Directors on March 24, 2004. The subject request is to amend the general project plan, project			

	scope and budget, and does not involve new funding.			
	1 project		Sub-total	\$0

	Aid to Localities - Community Projects Fund (Assembly)			
	Project Name	Proj #	Grantee	Assistance up to
B	The Consortium for Worker Education - Job Training and Placement Services	W535	The Consortium for Worker Education	125,000
C	CPC - Pre-Employment Preparation and Placement 2 Workforce Development	W637	Chinese-American Planning Council, Inc.	125,000
D	Downtown Brooklyn Partnership - Marketing Campaign	W672	Downtown Brooklyn Partnership, Inc.	50,000
	3 projects		Sub-total	\$300,000
	Community Capital Assistance Program (Senate)			
	Project Name	Proj #	Grantee	Assistance up to
E	Saint Francis Health Care Foundation - Equipment Acquisition	W356	Saint Francis Health Care Foundation, Inc.	105,000
F	Roeliff Jansen Community Library - Green Building Site Preparation	W374	Roeliff Jansen Community Library	93,000
G	Northern Dutchess Hospital Foundation - Picture Archiving System Purchase	W373	Northern Dutchess Hospital Foundation	76,500
H	Center for Spectrum Services - Parking Lot Improvements	W357	Center for Spectrum Services	50,000
I	Glen Cove Boys & Girls Club at Lincoln House - Roof Replacement	W445	Glen Cove Boys & Girls Club at Lincoln House, Inc.	50,000

J	Queens Botanical Garden Society - Signage Upgrade	W365	Queens Botanical Garden Society, Inc.	50,000
	6 projects		Sub-total	424,500
	Strategic Investment Program (Senate)			
	Project Name	Proj #	Grantee	Assistance up to
K	Village of Valley Stream - Village Green Lighting Upgrade	W451	Incorporated Village of Valley Stream	250,000
	1 project		Sub-total	\$250,000

New York State Economic Development Assistance Program (Senate)				
	Project Name	Proj #	Grantee	Assistance up to
L	Mohawk Valley EDGE - Marcy NanoCenter Phase II Capital	W277	Economic Development Growth Enterprises Corporation	0 ²
	2- this \$10M grant was approved by the ESD Directors on September 18, 2008. The subject request is to amend the project scope and budget, and to name a beneficiary organization, and does not involve new funding.			
	1 project		Sub-total	\$0
	TOTAL NON-DISCRETIONARY - 12 PROJECTS		TOTAL	\$974,500

I. Statutory Basis

The projects are sponsored by the Executive Office, Assembly or Senate, and are authorized (and in some cases, reappropriated) in the 2009-2010 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.

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 beneficiary companies, 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.

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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.

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

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 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 have provided ESD with the required Disclosure and Accountability Certifications.

VII. Additional Submissions to Directors

New York State Maps
Resolutions
Project Summaries

November 19, 2009

Empire Opportunity Fund - Authorization to Amend the General Project Plan, Project Scope and Budget; Authorization to Make a Grant and to Take Related Actions; Adoption of Findings Pursuant to the State Environmental Quality Review Act

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 Empire Opportunity Fund Project (the "Project"), that the Chairman and Chief Executive Officer-Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to amend the general project plan, project scope and budget; and be it further

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

RESOLVED, that upon written finding of the Chairman and Chief Executive Officer-Designate of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Amended GPP, such Amended GPP shall be effective at the conclusion of such hearing, and that upon such written finding being made, the Chairman and Chief Executive Officer-Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make a grant to the party and for the amount listed below from the Empire Opportunity Fund, 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-Designate 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-Designate of the Corporation or his designee(s) be, subsequent

to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; 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

Empire Opportunity Fund - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
A	County of Erie - Buffalo and Erie County Botanical Gardens Restoration Capital	R482	County of Erie	0 ¹
	1- this \$1M grant was approved by the ESD Directors on March 24, 2004. The subject request is to amend the general project plan, project scope and budget, and does not involve new funding			
			TOTAL	\$0

RESOLVED, that the Chairman and Chief Executive Officer-Designate 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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November 19, 2009

Aid to Localities - Community Projects Fund - 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 Aid to Localities - Community Projects Fund 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 Chairman and Chief Executive Officer-Designate 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 Aid to Localities - Community Projects Fund, 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-Designate 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-Designate 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

Aid to Localities - Community Projects Fund - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to

B	The Consortium for Worker Education - Job Training and Placement Services	W535	The Consortium for Worker Education	125,000
C	CPC - Pre-Employment Preparation and Placement 2 Workforce Development	W637	Chinese-American Planning Council, Inc.	125,000
D	Downtown Brooklyn Partnership - Marketing Campaign	W672	Downtown Brooklyn Partnership, Inc.	50,000
			TOTAL	\$300,000

RESOLVED, that the Chairman and Chief Executive Officer-Designate 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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November 19, 2009

Community Capital Assistance Program - Authorization to Make Grants and to Take Related Actions; Determination of No Significant Effect on the Environment

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 Capital Assistance Program Projects (the "Projects"), in accordance with Chapter 84 of the Laws of 2002 for the Community Capital Assistance Program, that the Chairman and Chief Executive Officer-Designate 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 Capital Assistance Program, 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-Designate 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-Designate 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 Capital Assistance Program - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
E	Saint Francis Health Care Foundation - Equipment Acquisition	W356	Saint Francis Health Care Foundation, Inc.	105,000
F	Roeliff Jansen Community Library -	W374	Roeliff Jansen Community Library	93,000

	Green Building Site Preparation			
G	Northern Dutchess Hospital Foundation - Picture Archiving System Purchase	W373	Northern Dutchess Hospital Foundation	76,500
H	Center for Spectrum Services - Parking Lot Improvements	W357	Center for Spectrum Services	50,000
I	Glen Cove Boys & Girls Club at Lincoln House - Roof Replacement	W445	Glen Cove Boys & Girls Club at Lincoln House, Inc.	50,000
J	Queens Botanical Garden Society - Signage Upgrade	W365	Queens Botanical Garden Society, Inc.	50,000
			TOTAL	\$424,500

RESOLVED, that the Chairman and Chief Executive Officer-Designate 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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November 19, 2009

Strategic Investment Program - Authorization to Make a Grant 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 Strategic Investment Program Project (the "Project"), in accordance with Chapter 55 of the Laws of 2000, the Chairman and Chief Executive Officer-Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make a grant to the party and for the amount listed below from the Strategic Investment Program, 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-Designate 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-Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; 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

Strategic Investment Program - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
K	Village of Valley Stream - Village Green Lighting Upgrade	W451	Incorporated Village of Valley Stream	250,000
			TOTAL	\$250,000

RESOLVED, that the Chairman and Chief Executive Officer-Designate 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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November 19, 2009

New York State Economic Development Assistance Program -
Authorization to Amend the Project Scope and Budget;
Authorization to Name a Beneficiary Organization;
Authorization to Make a Grant 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 New York State Economic Development Assistance Program Project (the "Project"), that the Chairman and Chief Executive Officer-Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to amend the project scope and budget, and name a beneficiary organization; and be it further

RESOLVED, that the Chairman and Chief Executive Officer-Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make a grant to the party and for the amount listed below from the New York State Economic Development Assistance Program, 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-Designate 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-Designate of the Corporation or his designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; 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

New York State Economic Development Assistance Program - Project Summary Table

	Project Name	Proj	Grantee	Assistance
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		#		up to
L	Mohawk Valley EDGE - Marcy NanoCenter Phase II Capital	W277	Economic Development Growth Enterprises Corporation	0 ²
	2- this \$10M grant was approved by the ESD Directors on September 18, 2008. The subject request is to amend the project scope and budget, and to name a beneficiary organization, and does not involve new funding.			
			TOTAL	\$0

RESOLVED, that the President and Chief Executive Officer of the Corporation or her 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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