

FOR CONSIDERATION

October 22, 2009

TO: The Directors

FROM: Dennis M. Mullen

SUBJECT: Non-Discretionary Projects

REQUEST FOR: Authorization to Adopt the General Project Plans; Authorization to Make Grants and to Take Related Actions; Authorization to Amend the Project Scope and Budget; 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:

Aid to Localities – Centers of Excellence (Governor)				
	Project Name	Proj #	Grantee	Assistance up to
A	The Research Foundation – Stony Brook CEWIT Working Capital	W690	The Research Foundation of State University of New York	1,179,166
	1 project		Sub-total	\$1,179,166
Aid to Localities – Base Redevelopment and Community Projects Fund (Assembly)				
	Project Name	Proj #	Grantee	Assistance up to
B	GLDC – Griffiss Air Force Base Redevelopment	W674	Griffiss Local Development Corporation	1,053,000

C	BCCED – Fordham Road Renaissance Festival	W636	Bronx Council for Economic Development Local Development Corporation d/b/a Bronx Central Council for Economic Development	125,000
	2 projects		Sub-total	\$1,178,000
	New York State Economic Development Assistance Program (Senate)			
	Project Name	Proj #	Grantee	Assistance up to
D	Hofstra University – School of Medicine Capital	W269	Hofstra University	12,500,000
E	Molloy College – Public Square Campus Center Capital	W271	Molloy College	2,500,000
	2 projects		Sub-total	\$15,000,000
	Community Enhancement Facilities Assistance Program (Senate)			
	Project Name	Proj #	Grantee	Assistance up to
F	Molloy College – Public Square Campus Center Capital	W206	Molloy College	2,500,000
	1 project		Sub-total	\$2,500,000
	Aid to Localities – Local Assistance and Community Projects Fund (Senate)			
	Project Name	Proj #	Grantee	Assistance up to
G	MDA – Essential New York Initiative – Regional Marketing	W332	Metropolitan Development Association of Syracuse and Central New York, Inc.	301,000
H	SCIDA – Hillside Children’s Center	T203	Seneca County Industrial Development Agency	100,000
I	New York Industrial Retention Network	W524	New York Industrial Retention Network	94,000
J	NCDED – Niagara Falls International Airport Improvements	W338	Niagara County Department of Economic Development	75,000

K	Mohawk Valley EDGE – Marcy NanoCenter Phase I	V062	Economic Development Growth Enterprises Corporation	0 ¹
	1– this \$4M grant was approved by the ESD Directors on May 17, 2007. The subject request is to amend the project scope and budget, and does not involve new funding.			
	5 projects		Sub-total	\$570,000
	Community Capital Assistance Program (Senate)			
	Project Name	Proj #	Grantee	Assistance up to
L	City of Salamanca – Route 353 Bridge Repair	W449	City of Salamanca	200,000
M	STHCS – Child Advocacy Center Facility Purchase	W450	Southern Tier Health Care System, Inc.	100,000
N	Town of Red Hook – St. Margaret’s Home Roof Stabilization	W376	Town of Red Hook	90,000
O	Town of Elbridge – Security Fence Installation	V742	Town of Elbridge	50,000
	4 projects		Sub-total	440,000
	TOTAL NON-DISCRETIONARY – 14 PROJECTS (15 grants)		TOTAL	\$20,867,166

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 the 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.

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/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 have provided ESD with the required Disclosure and Accountability Certifications.

VII. Additional Submissions to Directors

New York State Maps
Resolutions
Project Summaries

October 22, 2009

Aid to Localities – Centers of Excellence – Findings and Determinations Pursuant to Section 10 (g) of the Act; 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 Aid to Localities – Centers of Excellence Project (the “Project”), 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 a grant to the party and for the amount listed below from Aid to Localities – Centers of Excellence, 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

Aid to Localities – Centers of Excellence – Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
A	The Research Foundation – Stony Brook CEWIT Working Capital	W690	The Research Foundation of State University of New York	1,179,166
			TOTAL	\$1,179,166

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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October 22, 2009

Aid to Localities – Base Redevelopment and Community Projects Fund – Findings and Determinations Pursuant to Section 10 (g) of the Act; 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 Aid to Localities – Base Redevelopment and 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 Aid to Localities – Base Redevelopment and 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 – Base Redevelopment – Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
B	GLDC – Griffiss Air Force Base Redevelopment	W674	Griffiss Local Development Corporation	1,053,000
			TOTAL	\$1,053,000

Aid to Localities – Community Projects Fund – Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
C	BCCED – Fordham Road Renaissance Festival	W636	Bronx Council for Economic Development Local Development Corporation d/b/a Bronx Central Council for Economic Development	125,000
			TOTAL	\$125,000

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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October 22, 2009

New York State Economic Development Assistance Program - Findings and Determinations Pursuant to Section 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plans; 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

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 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 areas; 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 (the "Plans") for the Projects 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 Plans, together with such changes, are 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 hearings held on the Plans, such Plans shall be effective at the conclusion of such hearings, 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 grants to the parties and for the amounts 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 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

New York State Economic Development Assistance Program – Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
D	Hofstra University – School of Medicine Capital	W269	Hofstra University	12,500,000
E	Molloy College – Public Square Campus Center Capital	W271	Molloy College	2,500,000
			TOTAL	\$15,000,000

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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October 22, 2009

Community Enhancement Facilities Assistance Program – Authorization to Make a Grant and to Take Related Actions; Authorization to Adopt the 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 Community Enhancement Facilities Assistance Program Project (the “Project”), as directed by the Governor and/or the Temporary President and Majority Leader of the Senate, in accordance with Chapter 432 of the Laws of 1997, and Chapter 55 of the Laws of 2002, 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 Community Enhancement Facilities 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

Community Enhancement Facilities Assistance Program - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
F	Molloy College – Public Square Campus Center Capital	W206	Molloy College	2,500,000
			TOTAL	\$2,500,000

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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October 22, 2009

Aid to Localities – Local Assistance and Community Projects Fund – Findings and Determinations Pursuant to Section 10 (g) of the Act; Authorization to Make Grants and to Take Related Actions; Authorization to Amend the Project Scope and Budget

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 - Local Assistance and 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 with respect to the Mohawk Valley EDGE – Marcy NanoCenter Phase I Project listed below, 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 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 Aid to Localities – Local Assistance and 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 – Local Assistance – Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
G	MDA – Essential New York Initiative – Regional Marketing	W332	Metropolitan Development Association of Syracuse and Central New York, Inc.	301,000
H	SCIDA – Hillside Children’s Center	T203	Seneca County Industrial Development Agency	100,000
I	New York Industrial Retention Network	W524	New York Industrial Retention Network	94,000
J	NCDED – Niagara Falls International Airport Improvements	W338	Niagara County Department of Economic Development	75,000
			TOTAL	\$570,000

Aid to Localities – Community Projects Fund – Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
K	Mohawk Valley EDGE – Marcy NanoCenter Phase I	V062	Economic Development Growth Enterprises Corporation	
	1– this \$4M grant was approved by the ESD Directors on May 17, 2007. The subject request is to amend the project scope and budget, and does not involve new funding.			0 ¹
			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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October 22, 2009

Community Capital Assistance Program – 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 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
L	City of Salamanca – Route 353 Bridge Repair	W449	City of Salamanca	200,000
M	STHCS – Child Advocacy Center Facility Purchase	W450	Southern Tier Health Care System, Inc.	100,000
N	Town of Red Hook – St. Margaret’s Home Roof Stabilization	W376	Town of Red Hook	90,000
O	Town of Elbridge – Security Fence Installation	V742	Town of Elbridge	50,000
			TOTAL	\$440,000

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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