

Hurricane Irene – Tropical Storm Lee Business Flood Recovery Grant Program (X592)

General Project Plan #5 – North Country Region Public Hearing

I. Program Summary

Grantees: The entities listed in the attached spreadsheet (“GPP #5 Applicant List”). Entities consist of small businesses, not-for-profit organizations, farms, or owners of multiple-unit residential dwellings consisting of three or more dwelling units.

ESD* Investment: Up to \$21 million of a \$50 million Hurricane Irene – Tropical Storm Lee Flood Recovery Grant appropriation is to be used to provide local assistance grants (“*Business Flood Recovery Grants*”) to be used for storm-related repairs and restoration of structures, and for other storm-related costs. Individual grants shall not exceed 50% of storm-related damage up to a maximum of \$20,000.

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

Project Locations: New York State. The locations of entities included in General Project Plan #5 are indicated in GPP #5 Applicant List.

Regional Council: The North Country Regional Council will be made aware of this item.

Eligible Costs Date: On or after August 28, 2011 with respect to physical flood-related damage resulting from Hurricane Irene; on or after September 7, 2011 with respect to direct physical flood-related damage resulting from Tropical Storm Lee.

**Anticipated
Appropriation
Source:**

Local Assistance

ESD Project No.: X592 – Business Flood Recovery Grant Program (the “Program”)

Project Team :

Project Management

Brendan Healey/

Christine Costopoulos

Legal

Eunice Jackson

Contractor & Supplier Diversity

Denise Ross

Environmental

Soo Kang

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II. Program Description

A. Background

Hurricane Irene made landfall in New York on August 28, 2011. Shortly thereafter, Tropical Storm Lee struck New York on September 7, 2011. Both storms caused extensive flooding and substantial damage across New York. Following the aftermath of Hurricane Irene and Tropical Storm Lee, President Obama issued a state of emergency declaration for New York State, which allowed affected New Yorkers access to federal disaster relief funds. In an effort to provide additional flood disaster related relief aid, Governor Cuomo and the Legislature created the Hurricane Irene-Tropical Storm Lee Flood Recovery Grant Program and appropriated \$50 million for assistance to businesses and communities that suffered losses as a result of these disasters. The enabling legislation for the Program designated \$21 million of the appropriation to be used for grants of up to \$20,000 to be used for storm-related repairs and restoration to structures and for other storm-related costs for small businesses, farms, owners of multiple-unit residential dwellings, and not-for-profit organizations that sustained direct physical flood-related damage as a result of Hurricane Irene or Tropical Storm Lee. The legislation empowers ESD to establish guidelines and such additional eligibility criteria as it deems necessary to effectuate the use and administration of this allocation, giving preference to those applicants that demonstrate the greatest need, based upon damage data provided by applicable federal agencies.

In January 2012, ESD's Directors approved guidelines for the Hurricane Irene – Tropical Storm Lee Business Flood Recovery Grant Program ("Program Guidelines"). In addition, the ESD Directors delegated to the President and Chief Executive Officer of the Corporation or his designee(s) the authority to: 1) accept applications for grants; 2) approve grants ; 3) make any necessary findings or take any necessary action that the Corporation may be required to take under the New York State Urban Development Corporation Act and other applicable law and regulations to effectuate the Program; 4) approve project plans for the Program; 5) hold any public hearings that may be necessary pursuant to applicable law; 6) act on behalf of the Corporation to affirm, modify or withdraw any contemplated grant assistance as a result of testimony given at any such hearing, if necessary; and, 7) disburse grant funds.

B. Grant Description

The Program is made available from \$21 million of a \$50 million Hurricane Irene–Tropical Storm Lee Flood Recovery Grant state appropriation to ESD for Local Assistance. Eligible small businesses, farms, not-for-profit organizations, and owners of multiple-unit residential dwellings consisting of three or more dwelling units, that sustained direct physical flood-related damage as a result of Hurricane Irene or Tropical Storm Lee may receive grants of up to 50% of storm-related losses up to a maximum of \$20,000 for the cost of eligible storm-related repairs and restoration to structures and for other storm-related costs. Losses eligible for

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grant funds include, but are not limited to, repair or replacement of damaged or destroyed real property and other tangible assets, including equipment, furniture, fixtures, supplies, inventory, chattel property and products of and materials for farm operations, including, feed, and orchard and vineyard root stock, but not the crops grown thereon. Losses must be for property and items used or created in the normal and customary course of operations of the eligible business entity. Financial and operating losses and relocation expenses are not eligible losses.

Grants may also be applied or used to pay down SBA loans an applicant may have taken out to cover storm-related losses. To the extent possible, assistance will be provided to applicants that demonstrate the greatest need, based on available flood damage assessments provided by relevant federal agencies.

In January 2012, ESD began accepting applications for the Program. The postmark deadline for mailing applications was March 16, 2012. ESD received a total of 943 applications. ESD has completed preliminary review of all applications received by the submission deadline. The GPP #5 Applicant List contains a list of applicants in this region that ESD has determined meet the eligibility requirements for the Program. All grants are subject to public hearing as well as Public Authorities Control Board approval. Actual payment and the amount of a grant is conditioned upon compliance with the Program Guidelines, including but not limited to submitting documentation acceptable to ESD of both the eligible loss and payment for the repair or replacement of the eligible loss. All grant applications are subject to audit by ESD. Grants may either be reduced or recaptured to the extent a Grantee does not comply with the Program Guidelines. The Grantees may each receive a grant of up to \$20,000.

C. GPP #5 Applicant List

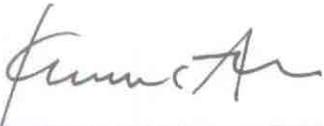
Staff recommends that the entities listed in the attached spreadsheet receive grant funding up to \$20,000, subject to and conditioned upon, providing adequate proof and documentation of eligible loss expenditures for repair or replacement and compliance with Program requirements, as well as final audit by ESD. ESD will determine individual grant amounts once final audit of an application is complete. Grant funds will be used for flood related repairs, including, but not limited to, repair or replacement of real property, equipment, furniture, fixtures, supplies, inventory, products of and materials for farm operations.

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Upon final ESD audit of individual applicants named in the attached spreadsheet, assuming that all project approvals have been completed and funds are available, I hereby authorize ESD to make grants of up to \$20,000 to the applicants named in the attached spreadsheet.

III. Statutory Basis-Hurricane Irene Tropical Storm Lee Flood Recovery Grant Program

The Program was authorized in the 2011-2012 New York State budget and was reappropriated in the 2012-2013 budget. No residential relocation is required as there are no families or individuals being displaced by the project.



Kenneth Adams
President and Chief Executive Officer

July 13, 2012

Date

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GPP #5 Applicant List – North Country Region Public Hearing

The list of applicants below is sorted alphabetically within each county.

Applicant Name	Address 1	Address 2	City	Zip Code	County	Project Description
Christopher Sunderland	5058 Route 11		Ellenburg Depot	12935	Clinton	Inventory, Real Estate Repair/Replacement
Monty's Bay Recreation, Inc.	715 Lake Shore Road		West Chazy	12992	Clinton	Real Estate Repair/Replacement
Mountain Lake Public Telecommunications Council, Inc.	One Sesame Street		Plattsburgh	12901	Clinton	Real Estate Repair/Replacement
Rojo Properties, Inc	367 Route 9N		Keeserville	12944	Clinton	Real Estate Repair/Replacement
Smith's Auto Exchange Inc,	1351 Rte 9N		Clintonville	12924	Clinton	Inventory, Machinery & Equipment
Adirondack Mountain Spirits, Inc.	14225 NYS Route 9N		Au Sable Forks	12912	Essex	Inventory
Alpine Country Motel, Inc.	5647 Route 86		Wilmingon	12997	Essex	Inventory, Machinery & Equipment, Real Estate Repair/Replacement
Appleby Foundation, Inc.	14234 NY State Route 9N		AuSable	12912	Essex	Real Estate Repair/Replacement
Ausable Chasm Company	2144 Route 9		Ausable Chasm	12911	Essex	Real Estate Repair/Replacement
Cedar Run Bakery, LLC	4 Gristmill Lane		Keene	12942	Essex	Furniture & Fixtures, Inventory, Machinery & Equipment
Charles Segard	2 Grist Mill Lane and 8 Grist Mill Lane		Keene	12942	Essex	Real Estate Reconstruction
Daniel T. Manning, III	14226 NYS Route 9N		Ausable Forks	12912	Essex	Real Estate Repair/Replacement
Elmbrook Veterinary Services, PC	46 Carey Road		Jay	12912	Essex	Inventory, Machinery & Equipment
Essex Marina, Inc.	2272 South Main Street	PO Box 57	Essex	12936	Essex	Real Estate Repair/Replacement
Indian Bay Marina	237 Corlear Drive		Willsboro	12996	Essex	Real Estate Reconstruction, Real Estate Repair/Replacement
Interbrook, Inc.	1866 NYS Route 73		Keene Valley	12943	Essex	Inventory, Machinery & Equipment, Real Estate Repair/Replacement
James McKenna	24 Ausaroar Way		Lake Placid	12946	Essex	Furniture & Fixtures, Machinery & Equipment, Real Estate Repair/Replacement
John Arthur Boyea	15 Dock Street		Port Henry	12974	Essex	Machinery & Equipment, Real Estate Repair/Replacement

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Applicant Name	Address 1	Address 2	City	Zip Code	County	Project Description
Juniper Hill Farm	82 Loukes Road		Westport	12993	Essex	Machinery & Equipment
Keene Valley Country Club, Inc.	8 Country Club Way		Keene Valley	12943	Essex	Real Estate Reconstruction, Real Estate Repair/Replacement
Keene Valley Video, Inc.	1948 New York State Route 73		Keene Valley	12943	Essex	Machinery & Equipment, Real Estate Repair/Replacement
Lance K. Galvin	2362 Route 9 N		Ausable Forks	12912	Essex	Machinery & Equipment, Real Estate Repair/Replacement
Melinda E. Stone	2103 Haselton Road		Wilmington	12997	Essex	Real Estate Repair/Replacement
North Pole Associates, LLC	324 Whiteface Memorial Highway		Wilmington	12997	Essex	Machinery & Equipment, Real Estate Repair/Replacement
Riverat Glass & Electric, Inc.	8 Church Lane		Wadham	12993	Essex	Machinery & Equipment, Real Estate Repair/Replacement
Roanka Attractions Corp.	4761 NYS Route 86		Wilmington	12997	Essex	Engineering & Architectural Plans, Furniture & Fixtures, Inventory, Machinery & Equipment, Real Estate Repair/Replacement
Rocco J. Giampaolo & Mandy S. Giampaolo	10916 NYS Route 9N		Keene	12942	Essex	Real Estate Repair/Replacement
Shane E. Lawrence	14224 Route 9N		Ausable Forks	12912	Essex	Furniture & Fixtures, Inventory, Machinery & Equipment
Town of Moriah Country Club Inc.	3122 Broad Street		Port Henry	12974	Essex	Real Estate Repair/Replacement