

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

d/b/a Empire State Development Corporation
Meeting of the Directors
633 Third Avenue
37th Floor Conference Room
New York, New York 10017

and

Buffalo Regional Office
95 Perry Street
Buffalo, New York 14203

March 23, 2011

MINUTES

In Attendance

Directors:

Kevin S. Corbett - Acting Chair
Paul F. Ciminelli
Joyce Miller
Richard Neiman - Superintendent
- New York State Department of Banking

Kenneth Adams, President and CEO - Designate

ESD Officers:

Helen Daniels, Director - Affirmative Action
Peter Davidson, Executive Director
Leecia Eve, Senior Vice President -
Legal and General Counsel
Robert Godley, Treasurer
Warner Johnston, Vice President - Public
Affairs
Edwin Lee, Senior Project Manager - Loans
and Grants
Sheri Lippowitsch, Vice President - Loans
and Grants
Eileen McEvoy, Corporate Secretary
Kathleen Mize, Controller
Juanita Scarlett, Executive Vice President -
Strategy, Policy and Public Affairs
Susan Shaffer, Vice President - Loans and
Grants
Frances A. Walton, Chief Financial and
Administrative Officer

Also Present

Stephen Gawlik, Deputy General Counsel -
Buffalo Regional Office
Timothy Gilchrist, President - Moynihan
Station Development Corporation
Kenneth Schoetz, Senior Vice President -
Regional Offices
The Public
The Press
The Media

The meeting of the Directors of the New York State Urban Development Corporation ("UDC") d/b/a Empire State Development Corporation ("ESD" or the "Corporation") was called to order at 10:41 a.m. by Acting Chairman Corbett. It was noted for the record that the time and place of the meeting had been given in compliance with the New York State Open Meetings Law.

The Acting Chairman then turned the business of the meeting over to Kenneth Adams.

First, Mr. Adams set forth the guidelines regarding comments by the public on matters on the Agenda.

Next, Mr. Adams asked the Directors to approve the Minutes of the December 16, 2010 Directors' meeting. There being no changes or corrections, upon motion duly made and seconded, the following resolution was unanimously adopted:

12990. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE DECEMBER 16, 2010 MEETING OF THE DIRECTORS OF THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION

RESOLVED, that the Minutes of the meeting of the Corporation held on December 16, 2010, as presented to this meeting, are hereby approved and all actions taken by the Directors presented at such meeting as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Corporation.

* * *

Mr. Adams then asked the Directors to approve the appointment of the individuals listed in the following resolution to the offices specified. Upon motion duly made and seconded, the following resolution was unanimously adopted:

12991. APPOINTMENT OF OFFICERS - Senior Vice President - Legal and General Counsel, ESD; and Executive Vice Presidents

BE IT RESOLVED, that the following individuals be, and they hereby are, appointed to the offices which appear opposite their respective names, until their earlier resignation or removal:

<u>NAME</u>	<u>OFFICE</u>
Leecia Eve	Senior Vice President - Legal and General Counsel, ESD;
Juanita Scarlett	Executive Vice President; and
Irene M. Baker	Executive Vice President;

and be it further

RESOLVED, that in accordance with and for all the purposes of the New York State Urban Development Corporation (the "Corporation") Act and the bylaws of the Corporation, including but not limited to the indemnification provisions thereof, each

of the foregoing individuals is an "officer" of the Corporation;
and be it further

RESOLVED, that any and all actions taken by each of the
foregoing individuals since their nomination to the offices
identified herein be and hereby are ratified as the acts and
deeds of the Corporation.

* * *

Ms. Mize then presented ESD's Annual Operating Budget
including subsidiary support for fiscal year 2011-2012 for
adoption by the Directors.

Following the full presentation, Mr. Adams called for
questions or comments. Director Miller asked what the impact
has been of the absence of the State's funding for the agency
and further if this shortfall is being made up in any way or if
it is just being absorbed.

Ms. Mize stated that this is ESD's second year without
State appropriations and that the Corporation has managed on its
own resources to cover all the absences.

Director Miller went on to state her belief that this must
have a direct impact on the number of personnel or the number of
lines available.

Ms. Walton stated that it actually has an impact on the amount of proceeds available to pay ESD's lease expenses which come from the sale of space at 633. It means, Ms. Walton continued, that the Corporation is more reliant on those funds.

Director Miller went on to note that under funding sources in the annual operating budget there is a reference to asset sale proceeds. Ms. Walton stated that those are the proceeds to which she referred.

There being no further questions or comment, and upon motion duly made and seconded, the following resolution was unanimously adopted:

12992. NEW YORK STATE URBAN DEVELOPMENT CORPORATION - (the "Corporation") Authorization to Adopt Annual Operating Budget

RESOLVED, that the Corporation hereby adopts the Annual Operating Budget for FY 2011-2012 including subsidiary operating support and approves the FY 2011-2012 Capital Expense Budget, based upon the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the "Materials"); and be it further

RESOLVED, that the proper corporate officers be, and they hereby are, authorized to take related actions as he or she may, in his or her sole discretion, deem necessary or proper to effectuate the foregoing.

* * *

Ms. Eve then asked the Directors to approve ESD's Property Disposition Guidelines and the appointment of a Contracting Officer in accordance with the Public Authorities Accountability Act.

Among other things, Ms. Eve explained that the Guidelines provide for the appointment of a contracting officer, the dissemination and posting of the guidelines, inventory of reporting status of the Corporation's property, and obligations of the Corporation with respect to pricing and methods of distribution. Ms. Eve added that the Guidelines effectively incorporate all requirements of the Public Authorities Accountability Act and, without change from 2010, are now proposed for re-adoption by the Directors.

Ms. Eve went on to note that the Directors are further requested to appoint the Vice President of Management Information Systems and Administrative Services, Rudy Rosefort, or any successor head of Administrative Services, as both the Procurement Officer of ESD and the Contracting Officer for purposes of the Guidelines.

Following Ms. Eve's full presentation, Mr. Adams called for questions or comments. Director Corbett requested confirmation

of his understanding that the Guidelines do not prohibit ESD from taking all actions necessary in its approach to facilitating economic development. Ms. Eve stated that that was correct.

There being no further questions or comments, and upon motion duly made and seconded, the following resolution was unanimously adopted:

12993. NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT CORPORATION - (the "Corporation") Approval of Property Disposition Guidelines, Appointment of Contracting Officer and Authorization to Take Related Actions

WHEREAS, the Corporation wishes to comply with Title 5-A of the Public Authorities Accountability Act ("Law"), as amended by the Public Authorities Reform Act of 2009, which mandates that public benefit corporations annually prepare the Corporation's Guidelines Regarding Disposition of Property (the "Guidelines") attached hereto.

WHEREAS, the Corporation has prepared the Guidelines in accordance with the Act as amended; and

WHEREAS, the Corporation has reviewed said Guidelines and found them to be satisfactory;

WHEREAS, the Guidelines require the appointment of a Contracting Officer;

NOW, THEREFORE, IT IS HEREBY RESOLVED that in accordance with the materials presented to this meeting and ordered filed in the records of the Corporation, the Guidelines as amended are hereby approved; and it is further

RESOLVED, that the Vice President, Management Information Systems and Administrative Services for the Corporation (or any

successor head of Administrative Services), is hereby appointed as both the Procurement Officer and the Contracting Officer as required and set forth in the Guidelines; and it is further

RESOLVED, that the President and Chief Executive Officer, the Chief Financial Officer, the Treasurer or their designees be, and each of them hereby is, authorized and empowered to submit and file the Guidelines, as required by law, and to take such action and execute such agreements and instruments as he or she may consider necessary or desirable or appropriate in connection with the implementation of the Guidelines and to take related actions.

* * *

Ms. Pallan then asked the Directors to authorize ESD to place Corporate Insurance Policies with Chartis Insurance, Hartford Insurance and Great American Insurance for a total cost of \$318,000.

Ms. Pallan noted that this cost represents a \$32,000 reduction in total premiums from last year. Ms. Pallan further explained that the reduction is primarily driven by the reduction in general liability exposure due to the progress made over the past year and the demolition of the Deutsche Bank building.

Ms. Pallan added that approximately 60% of the \$318,000 is recoverable to the Corporation from its subsidiaries.

Ms. Pallan then explained that the policies have already

been renewed because this is the first Directors meeting held in 2011 and that it is being held after the existing policies expired. It is important, she further explained, not to allow the policies to lapse and the Directors are therefore being asked to ratify actions already taken on behalf of the Corporation.

Following Ms. Pallan's full presentation of the proposed request, Mr. Adams called for questions or comments.

Director Miller noted that the State's policy encourages the utilization of minority and women-owned business, however, it does not appear as though any of the insurance carriers are minority and/or women-owned businesses. She asked what efforts are being made to encourage this policy.

Ms. Pallan explained that it is her understanding that ESD's broker understands that they are to make their best efforts to place policies with minority and women-owned businesses to the extent possible. Ms. Pallan added that ESD must go with carriers of a certain rating who provide the lowest price for the policies.

Mr. Adams stated that Director Miller put her finger on a

very important challenge for the agency and for all agencies in State government. He continued, noting that Governor Cuomo has set a goal of 20 percent of contracts such as this. He added that overall, this agency has achieved a great deal of success in this area and will continue to strive to do better going forward.

Director Miller stated that she was raising the question because it is an issue she is concerned about and further that she is firmly in favor of the Governor's policy and would like to encourage its pursuit.

There being no further questions or comments, and upon motion duly made and seconded, the following resolution was unanimously adopted:

12994. CORPORATE INSURANCE POLICIES RENEWAL - AUTHORIZATION TO PLACE CORPORATE INSURANCE POLICIES WITH CHARTIS INSURANCE, HARTFORD INSURANCE AND GREAT AMERICAN INSURANCE, AND TO TAKE RELATED ACTIONS

RESOLVED, that based upon the materials presented to the Directors at this meeting, a copy of which is hereby ordered to be filed with the records of the Corporation, that the Chairman and Chief Executive Officer of the Corporation or Chief Financial Officer or his/her designee(s) are hereby authorized, in the name and on behalf of the Corporation, to enter into all contracts, agreements and instruments, as the Chairman and Chief Executive Officer of the Corporation or Chief Financial Officer or his/her designee(s) shall deem necessary or appropriate in connection with the renewal of the Corporation's Commercial and

General Excess Liability Insurance with Chartis Insurance, Real & Personal Property and Worker's Compensation Insurance with Hartford Insurance and Crime-Employee Dishonesty insurance with Great American Insurance for the 2011-2012 fiscal year at an annual premium of \$317,368.

RESOLVED, that all actions prior and heretofore taken on behalf of the Corporation in regard to the replacement of the foregoing insurance policies are hereby approved, ratified and confirmed.

* * *

Next, Mr. Adams asked the Directors to approve the appointment of Directors to the Upstate Empire State Development Corporation.

Mr. Adams explained, in part, that he was asking that he be appointed a Director of Upstate ESD and that Ms. Julie Shimer, ESD's Chairperson-Designate, be appointed a Director and Chairperson of that subsidiary.

Mr. Adams further explained that at a meeting to be held at noon today, the Directors of Upstate ESD will vote on a proposal to increase that Board from two to three Directors.

This action, he added, is therefore being approved in anticipation of the approval of the above-noted expansion.

Following the full presentation, Mr. Adams called for

questions or comments.

Director Corbett commented that this will create a stronger structure and further that the subsidiary will benefit from Mr. Adams' and Ms. Shimer's business experience.

There being no further questions or comments, and upon motion duly made and seconded, the following resolution was unanimously adopted:

12995. UPSTATE EMPIRE STATE DEVELOPMENT CORPORATION -
Appointment of Directors

BE IT RESOLVED, that Mr. Kenneth Adams, as President and Chief Executive Officer of the New York State Urban Development Corporation, doing business as Empire State Development Corporation ("ESD") is hereby appointed as a director of Upstate Empire State Development Corporation ("Upstate ESDC") and that Ms. Julie Shimer is hereby appointed as a Director and Chair of Upstate ESDC, provided that the board of Upstate ESDC is expanded to three directorships by separate action of that board.

* * *

Mr. Gilchrist then asked the Directors to authorize the Moynihan Station Development Corporation to amend its contract with the Office of General Services to provide building maintenance services at the Farley Post Office Building and Annex in Manhattan.

Following Mr. Gilchrist's detailed presentation, Mr. Adams called for questions or comments.

Director Ciminelli asked if the \$5.5 million reflects capital and operating expenses. Mr. Gilchrist stated that it represents mostly operating expenses which are funded out of funding from the postal service lease and the postal service remediation account. Mr. Gilchrist added that the Corporation does not undertake any major capital improvements. Capital improvements for phase I of the project, he further explained, are funded separately from federal funding sources.

There being no further questions or comments, and upon motion duly made and seconded, the following resolution was unanimously adopted:

12996. Empire State Development Corporation - Moynihan Station Development Project - Authorization to Amend a Contract with New York State Office of General Services to provide Building Management Services at the James A. Farley Post Office Building and Annex in Manhattan

BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds New York State Office of General Services to be responsible; and be it further

RESOLVED, that the Corporation hereby is authorized to amend the Corporation's existing contract with New York State Office of

General Services, to provide building management services for the James A. Farley Post Office Building and Annex in Manhattan, by extending the term of such contract for up to two additional years, in an amount not to exceed \$5,500,000 annually or \$11,000,000 for the two-year term, and otherwise substantially on the terms and conditions set forth in these Materials; and be it further

RESOLVED, that the Chief Executive Officer of the Corporation, or her designee(s), be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

* * *

Mr. Gawlik then asked the Directors to authorize ESD to issue a Final Generic Environmental Impact Statement in connection with the Richardson Olmstead Complex Project in Buffalo.

Mr. Gawlik explained that the project involves redevelopment of 42 acres of vacant land and buildings that was once operated as a psychiatric center by the New York State Office of Mental Hygiene.

Following Mr. Gawlik's detailed presentation of the background information regarding this request, Mr. Adams called for questions or comments.

Hearing none, and upon motion duly made and seconded, the following resolution was unanimously adopted (It was noted for

the record that Director Ciminelli recused himself from voting with regard to the following resolution.):

12997. Buffalo (Erie County) - Richardson Olmsted Complex - Issuance of the Final Generic Environmental Impact Statement

RESOLVED, that the Final Generic Environmental Impact Statement ("FGEIS") for the Richardson Olmsted Complex Project, as presented at this meeting, a copy of which is hereby ordered filed with the records of the Corporation, is satisfactory with respect to its scope, content, and adequacy for purposes of the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations of the New York State Department of Environmental Conservation, and it is hereby issued by the Corporation for the purposes of commencing public review; and be it further

RESOLVED, that the Corporation is hereby authorized to publish, circulate and file the accepted FGEIS in the manner required by SEQRA and the implementing regulations of the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the Chairman and Chief Executive Officer or his designee(s), be and the same hereby is, authorized in the name of and on behalf of the Corporation to take such actions as may be considered necessary or appropriate to comply with the requirements of SEQRA, including without limitation, the issuing of a notice of completion, the providing, filing or making available of copies of the FGEIS in accordance with SEQRA, the implementing regulations of the New York State Department of Environmental Conservation, other applicable law, and the making of a report or reports to the Directors on such activities.

* * *

Mr. Adams then asked Mr. Lee to present the Discretionary Project items on the Agenda.

Mr. Lee presented items 9 through 20 as referenced on the

meeting agenda. Mr. Lee provided a brief synopsis of each of the items to be considered by the Directors noting overall that the Directors are being requested to approve 12 grants totaling \$9,622,540. He added that these projects will leverage over \$200 million in additional investments and will assist in retaining or maintaining 1,862 jobs and in creating approximately 838 jobs across New York State.

Following Mr. Lee's full presentation, Mr. Adams called for questions and comments from the Directors and from the Public.

Mr. Adams then noted his appreciation not only for the work that has gone into the projects but also for the format in which they were presented by Mr. Lee.

Director Miller commented favorably with regard to the re-use of the Eastman Kodak facilities, which is such an important part of the Upstate economy.

Director Miller then inquired with regard to a grantee that is a subsidiary of a company headquartered in the Cayman Islands. Specifically, Director Miller questioned whether such a company is paying Corporate and other taxes within the State of New York or whether the benefit of jobs is the only benefit

the State derives from this transaction.

Ms. Shaffer noted that while she could not address that part of Director Miller's inquiry, she could state that all three of the projects presented by Mr. Lee earlier - Quintel, Intrinsiq and Omni - together are now backed by a Rochester backed venture firm. Ms. Shaffer added that while part may still be Cayman based, the bulk of it, which was also going to be Cayman based, is now Rochester based. Ms. Shaffer further stated that ESD also has the parent company's backing and should they not create the jobs, ESD can recapture the funds if it needs to do so.

Director Miller then asked when ESD is giving grants to companies which have a larger potential upside, should they be done as some sort of hybrid structure wherein the State could also benefit from the additional increase in revenue that is facilitated by the fact that ESD has supported this project.

Director Miller added that she did not expect an immediate answer but was merely throwing the concept out as food for thought.

Ms. Walton stated that as the projects come up they are

considered by the Project Review Committee for a variety of different approaches. She added that each Project is evaluated to determine the appropriate mix-grant, loan or hybrid for a particular project.

A brief discussion followed regarding Director Miller's suggestion and it was agreed that further discussion would be had in the future to weigh the pros and cons of such an approach.

Director Ciminelli expressed concern with regard to providing grants to companies that have very transportable jobs. He further stated that in his view, it would be more prudent for ESD to invest in manufacturing jobs.

Director Ciminelli added that this was meant as a general statement regarding a policy issue that should be reviewed in the future. Mr. Adams noted his agreement.

There being no further questions or comments, and upon motion duly made and seconded, the following resolution was unanimously adopted:

12998. Salina (Onondaga County) - Bitzer Scroll Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related

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 Bitzer Scroll Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such

Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Bitzer Scroll, Inc. a grant for a total amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000) from the Empire State Economic Development 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 President 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 President 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

RESOLVED, that the President 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.

* * *

12999. Salina (Onondaga County) - Bitzer Scroll Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the Bitzer Scroll Capital Project, the Corporation hereby determines that the proposed action will not

have a significant effect on the environment.

* * *

13000. Rochester (Monroe County) - Quintel USA Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 Quintel Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Quintel USA, Inc. a grant for a total amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) from the Empire State Economic Development 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 President 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 President 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

RESOLVED, that the President 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.

* * *

13001. Rochester (Monroe County) - Intrinsic Materials Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m

and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 Intrinsic Materials Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make

to Intrinsic Materials, Inc. a grant for a total amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000) from the Empire State Economic Development 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 President 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 President 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

RESOLVED, that the President 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.

* * *

13002. Rochester (Monroe County) - Omni ID Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 Omni ID Capital - Empire State Economic Development Fund - General Development

Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Omni ID USA, Inc. a grant for a total amount not to exceed Five Hundred Thousand Dollars (\$500,000) from the Empire State Economic Development 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 President 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 President 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

RESOLVED, that the President 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.

* * *

13003. Brooklyn (Kings County) - Brooklyn Navy Yard Development Capital - Downstate Revitalization Fund - Infrastructure Investment (Capital Grant) - Findings and Determinations Pursuant to Sections 16-r and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 Brooklyn Navy Yard Development Capital - Downstate Revitalization Fund - Infrastructure Investment (Capital Grant) 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; 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Brooklyn Navy Yard Development Corporation a grant for a total amount not to exceed One Million Dollars (\$1,000,000) from the Downstate Revitalization 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 President 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 President 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

RESOLVED, that the President 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.

* * *

13004. Brooklyn (Kings County) - Brooklyn Navy Yard Development Capital - Downstate Revitalization Fund - Infrastructure Investment (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the Brooklyn Navy Yard Development Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

13005. Gardiner (Ulster County) - Gillette Creamery Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 Gillette Creamery - Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;

4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Gillette Creamery a grant for a total amount not to exceed Six Hundred Thousand Dollars (\$600,000) from the Empire State Economic Development 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 President 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 President 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

RESOLVED, that the President 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.

* * *

13006. Ithaca (Tompkins County) - BorgWarner Morse TEC Capital/Training - Empire State Economic Development Fund - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 BorgWarner Morse TEC Capital/Training - Empire State Economic Development Fund Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to BorgWarner Morse TEC grants for a total amount not to exceed Five Hundred Ninety Two Thousand Five Hundred Forty Dollars (\$592,540) from the Empire State Economic Development 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 President 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 President 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 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

RESOLVED, that the President 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.

* * *

13007. Henrietta (Monroe County) - Brinkman Precision Capital
- Empire State Economic Development Fund - General

Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 Brinkman Precision Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and

Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Brinkman Precision Inc. a grant for a total amount not to exceed Five Hundred Thousand Dollars (\$500,000) from the , 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 - 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 President 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

RESOLVED, that the President 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.

* * *

13008. Henrietta (Monroe County) - Brinkman Precision Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the Brinkman Precision Capital Brinkman Precision Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

13009. Amityville (Suffolk County) - GKN Aerospace Monitor MAP Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 GKN Aerospace Monitor MAP Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to GKN Aerospace Monitor, Inc. a grant for a total amount not to exceed Five Hundred Thousand Dollars (\$500,000) from the Empire State Economic Development 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 President 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 President 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

RESOLVED, that the President 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.

* * *

13010. Middletown (Orange County) - President Container Capital - Empire State Economic Development Fund Capital - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to

Adopt the Proposed General Project Plan; 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 President Container Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to President Container, Inc. a grant for a total amount not to

exceed Five Hundred Thousand Dollars (\$500,000) from the Empire State Economic Development 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 President 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 President 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

RESOLVED, that the President 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.

* * *

13011. Middletown (Orange County) - President Container Capital - Empire State Economic Development Fund Capital - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the President Container Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

13012. East Aurora (Erie County) - Windham Professionals Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 Windham Professionals Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such

Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to Windham Professionals a grant for a total amount not to exceed Two Hundred Eighty Thousand Dollars (\$280,000) from the Empire State Economic Development 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 President 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 President 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

RESOLVED, that the President 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.

* * *

13013. Falconer (Chautauqua County) - County of Chautauqua IDA-SKF Heat Transfer Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Findings and Determinations Pursuant to Sections 16-m and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; 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 Falconer (Chautauqua County) - County of Chautauqua IDA-SKF Heat Transfer Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 16-m and 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The proposed project would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the state or would enhance or help to maintain the economic viability of family farms;
2. The project would be unlikely to take place in New York State without the requested assistance;
3. The project is reasonably likely to accomplish its stated objectives and that the likely benefits of the project exceed costs;
4. There are no families or individuals to be 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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to County of Chautauqua Industrial Development Agency a grant for a total amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000) from the Empire State Economic Development

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 President 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 President 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

RESOLVED, that the President 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.

* * *

13014. Falconer (Chautauqua County) - County of Chautauqua IDA-SKF Heat Transfer Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the Falconer (Chautauqua County) - County of Chautauqua IDA-SKF Heat Transfer Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

Following the approval of the foregoing resolutions, Mr. Adams acknowledged the tremendous amount of work done by the individuals in the various regional offices to move these projects forward. He also acknowledged the DED professionals in Albany who performed much of the financial analysis.

Mr. Lee then presented the March Discretionary Projects Consent Calendar for the Directors consideration. Following this presentation, Mr. Adams called for questions or comments. Hearing none, and upon motion duly made and seconded, the following resolution was unanimously adopted:

13015. Empire State Economic Development Fund - Findings and Determinations Pursuant to Sections 16-m and 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant 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 Empire State Economic Development Fund Projects identified below (the "Projects"), the Corporation hereby determines pursuant to Section 16-m of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that

1. The Projects would promote the economic health of New York State by facilitating the creation or retention of jobs or would increase activity within a municipality or region of the State or would enhance or help to maintain the economic viability of family farms.
2. The Projects would be unlikely to take place in New York

State without the requested assistance.

3. The Projects are reasonably likely to accomplish its stated objectives and the likely benefits of the project exceed costs.
4. There are no families or individuals to be displaced from the project area(s); and be it further

RESOLVED, that with respect to the General Development Financing Capital Projects, the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Projects submitted to this meeting, together with such changes therein as the President and Chief Executive Officer - Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearings, and that upon such written findings being made, the President 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 State Economic Development 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 President 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 President 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;

Empire State Economic Development Fund

	Project Name	Proj #	Grantee	Assistance up to
	General Development Financing Projects			
A.	Steel & O'Brien Manufacturing Capital	X072	Steel & O'Brien Manufacturing, Inc.	\$100,000
B.	INX International Capital	X203	INX International Ink Company	\$75,000
C.	Lake Distilling Capital	U073	Lake Distilling LLC	\$75,000
D.	Rem-tronics Capital	W171	Rem-tronics, Inc.	\$75,000
E.	Air Innovations Capital	W533	Air Innovations, Inc.	\$30,000
F.	Thermold Capital	W423	Thermold Corporation	\$25,000
			TOTAL	\$380,000

and be it further

RESOLVED, that the President 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.

* * *

13016. Urban and Community Development Program - Findings and Determinations Pursuant to Sections 5(4) and 16-d 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 Urban and Community Development Program 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 President 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 Urban and Community Development Program, for the purposes, and substantially on the terms and conditions, set forth in the Materials, with such changes as the President 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 President 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;

Urban and Community Development Program

	Project Name	Proj #	Grantee	Assistance up to
	Urban and Community Technical Assistance			
G.	SUNY Albany Working Capital	X228	The Research Foundation of State University of New York	\$96,700
H.	Stony Brook University Advanced Energy Conference Working Capital	X213	Stony Brook Foundation	\$25,000
			TOTAL	\$121,700

and be it further

RESOLVED, that the President 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.

* * *

13017. Arcade (Wyoming County) - Steel & O'Brien Manufacturing Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the Steel & O'Brien Manufacturing Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

13018. King Ferry (Cayuga County) - Lake Distilling Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the materials submitted to the Directors with respect to the Lake Distilling Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

13019. Dunkirk (Chautauqua County) - Rem-tronics Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors

with respect to the Rem-tronics Capital - Empire State Economic Development Fund - General Development Financing (Capital Grant) Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

Mr. Lee then presented the Restore New York Program item. Mr. Lee provided a synopsis of each of the projects contained in this consent calendar. Following Mr. Lee's presentation, Mr. Adams called for questions and comments from the Directors and from the Public.

There being no further questions or comments, and upon motion duly made and seconded, the following resolution was unanimously adopted:

13020. 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 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 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 (the "Plans") for the Project submitted to this meeting, together with such changes therein as the President 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 findings of the President 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 Plans, such Plans shall be effective at the conclusion of such hearing, and that upon such written findings being made, the President and Chief Executive Officer - Designate 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 President 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 President and Chief Executive Officer - Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make a 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 President 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 President 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

Restore NY Communities - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
	Restore NY Communities Projects			
A.	Troy - RESTORE III - Proctor's Theater/Office and Chasan Building Rehabilitation	W814	City of Troy	\$3,300,000
B.	Johnstown - RESTORE III - Collingwood Avenue and North Perry Street Housing	W843	City of Johnstown	\$420,000
			TOTAL	\$3,720,000

RESOLVED, that the President 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.

* * *

13021. Troy (Rensselaer County) - Troy - RESTORE III - Proctor's Theater/Office and Chasan Building Rehabilitation - Restore NY Communities 08-09 - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the Troy - RESTORE III - Proctor's Theater/Office and Chasan Building Rehabilitation Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

13022. City of Johnstown (Fulton County) - City of Johnstown - RESTORE III - Collingwood Avenue and North Perry Street Housing - Restore NY Communities 08-09 (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the City of Johnstown - RESTORE III - Collingwood Avenue and North Perry Street Housing Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

Ms. Lippowitsch then presented the March Non-Discretionary Consent Calendar for approval. Ms. Lippowitsch briefly outlined the content of the consent calendar noting, in part, that one item is an amendment and does not involve the authorization of refunding.

Following this presentation, Director Corbett asked if, given the State's current economic situation, there has been a lag in getting money out of the budget. Ms. Lippowitsch stated that there has been a lag but that it is moving now. Mr. Adams then called for questions or comments.

Hearing none, and upon motion duly made and seconded, the following resolution was unanimously adopted:

13023. 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; 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 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-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 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-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 President 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 Projects Fund - Assembly - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
A.	Canisius College - International Business	W669	Canisius College	38,000
			TOTAL	\$ 38,000

Community Projects Fund - Senate - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
B.	Broome County Community Charities - Champions Tour	X235	Broome County Community Charities, Inc.	100,000
			TOTAL	\$100,000

Local Assistance - Senate - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
C.	SCEDC - Hillside	W518	Seneca County Economic Development Corporation	500,000
			TOTAL	\$500,000

RESOLVED, that the President 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.

* * *

13024. New York State Economic Development Assistance Program - Findings and Determinations Pursuant to Section 10 (g) of the Act; Authorization to Make an Additional 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"), 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 President and Chief Executive Officer-Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized to make an additional 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 President 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 President 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 up to
D.	Cold Spring Harbor Laboratory Capital	W266	Cold Spring Harbor Laboratory	1,200,000
			TOTAL	\$1,200,000

RESOLVED, that the President and Chief Executive Officer-Designate 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.

* * *

13025. New York State Economic Development Program - Land Use Improvement Project Findings and Determinations Pursuant to Sections 10 (c) and 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant 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 New York State Economic Development Program 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

Land Use Improvement Project

- 1) That the area in which the project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;
- 2) That 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) That the plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole;
- 4) That the proposed facilities or project is consistent with any existing local or regional comprehensive plan;

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 Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer-Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, 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 President 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 Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President 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 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 President 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 President 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 Program - Senate - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
E.	County of Chautauqua IDA - SKF Heat Transfer Capital	X064	County of Chautauqua Industrial Development Agency	250,000
			TOTAL	\$250,000

RESOLVED, that the President 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.

* * *

13026. Community Capital Assistance Program - Authorization to Adopt the Proposed General Project Plans; 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, 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 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 President 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 findings of the President 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 findings being made, the President 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 President 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 President 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 - Senate - Project Summary Table

	Project Name	Proj #	Grantee	Assistance up to
F.	GCHA - Gardiner House Restoration	X006	Greenlawn-Centerport Historical Association	50,000
G.	LUFSD - MacArthur - Salk Traffic Safety	V638	Levittown Union Free School District	50,000
H.	Town of Wawayanda - Senior Center Addition	X323	Town of Wawayanda	0 ¹
	1 - this \$50,000 grant (V740) was approved by the ESD Directors on July 17, 2008, but that project did not move forward. The subject request is to reallocate funds for a revised project scope and budget, and does not involve new funding.			
			TOTAL	\$100,000

RESOLVED, that the President 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.

* * *

13027. Varick (Seneca County) - SCEDC - Hillside - Local Assistance Grant - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the SCEDC - Hillside - Local Assistance Grant Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

13028. Falconer (Chautauqua County) - County of Chautauqua IDA - SKF Heat Transfer Capital - New York State Economic Development Program (Capital Grant) - Determination of No Significant Effect on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the County of Chautauqua IDA - SKF Heat Transfer Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

Ms. Daniels then provided the Third Quarter Report on ESD's Procurement Contracts Report on UDC's Loan Portfolio.

Ms. Daniels clarified for Mr. Adams the 18% figure mentioned earlier in the meeting by informing those at the meeting that the 18% refers to ESD's minority and women-owned

business commitments during that particular fiscal quarter.

Mr. Adams noted that the Budget Variance Reports through December 31, 2010 had been provided to the Directors for their information. He added that staff was available to answer any questions should the Directors have any.

Banking Superintendent Neiman then noted that he serves on the ESD Board in an ex-officio capacity as Banking Superintendent.

Director Neiman continued that one of the Governor's initiatives is to merge the Department of Banking and Insurance, and therefore, this is potentially the last meeting that he will be attending. In that vein, he stated that he was taking this opportunity to reflect on the pleasure he has had in working with ESD staff over the years. He then noted that with the new leadership, he expects great things from ESD in the future.

Mr. Adams thanked him on behalf of the staff and the Directors for his years of service.

Director Neiman then stated that he is working closely with the administration on the integration planning and one of the

important items that he and others are continuing to emphasize is the role that the Banking Department and the new Department of Financial Services can play in economic development through its relationship with banks and particularly with community banks around the State.

Mr. Adams then noted that at future meetings, he will utilize this information portion of the Agenda to provide a President's Report.

Mr. Adams continued, noting that he is grateful for the warm and supportive welcome he received over the past few weeks. He then called on everyone in the room to state their names and what they do at the agency. Each person in the room did so including Mr. Madore, who writes about the economy for Newsday, and a member of the public.

There being no further business, the meeting was adjourned at 11:50 a.m.

Respectfully submitted,

Eileen McEvoy
Corporate Secretary