



CITY OF SARATOGA SPRINGS

City Council Meeting



October 11, 2017

City Council Room

 [Print](#)

1:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION(S):

EXECUTIVE SESSION:

CONSENT AGENDA

MAYOR'S DEPARTMENT

ACCOUNTS DEPARTMENT

FINANCE DEPARTMENT

1. 2018 Budget Workshop: Capital Budget, Finance Dept, Accounts Dept.
2. Discussion and Vote: Authorization for the Mayor to sign "Intent to Apply for Restore NY Funding"

PUBLIC WORKS DEPARTMENT

PUBLIC SAFETY DEPARTMENT

SUPERVISORS

ADJOURN

Section 1 – Intent to Apply for Restore NY Funding

If Municipality is intending to apply for Restore NY funding, this form must be submitted by the leading municipal official. Mail form to the attention of Molly Bauer, Restore NY, Empire State Development, 625 Broadway, Albany, NY 12245 or e-mail a signed PDF copy to RNY5Intent@esd.ny.gov by **October 13, 2017**. A municipality can submit up to two different letters of intent

Applications from municipalities that do not submit this form will not be accepted.

ESD will acknowledge receipt of the Letter of Intent by sending a confirmation e-mail to the contact person identified below. It is the responsibility of the municipality to ensure that the Letter of Intent has been received by ESD. If an e-mail confirmation notice is not received by October 16th, the municipality must contact ESD at (518) 292-5200.

Municipal Name	
Street Address (not PO Box)	
City, State, Zip	
County	
Contact Name	
Title	
Phone Number	
E-Mail Address	
NYS Unemployment Insurance Tax #	
Type of Municipality	City <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/>
Senate District #(s) and Name(s) (If multiple, list all. Attach additional page if necessary.)	#
Assembly District #(s) and Name(s) (If multiple, list all. Attach additional page if necessary.)	#

In the section below, provide a brief project description that includes how the project meets Restore NY goals (e.g. that the project will demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed use buildings). The description should include the size of the project (e.g. number of and/or square feet of buildings in the project). It should also include the intended reuse of the properties and other salient information such as its location in a target area of the community, or that it is part of a local revitalization or urban development plan. The description should not exceed 150 words. **You must attach or include a list of the properties you will be using the funding for.** All municipalities are eligible to submit two letters of intent for normal projects and one additional letter of intent for a special project as defined in Section 7 of the guidelines. Please document on the Intent to Apply forms if it is for a special project or not. **You may not apply for a project that was not the subject of an approved letter of intent.**

Name of Project	
Number of Properties	
Estimated Project Costs	
Estimated Restore NY Request	
Name of Development Company	
Briefly describe project	

Signature			
Title		Date	

Round 5

**RESTORE NY
COMMUNITIES INITIATIVE**

Municipal Grant Program

September 15, 2017

**Empire State Development (ESD) Request for
Funding Proposals**

GUIDELINES

Proposal Due Date: 3:00 p.m. – Friday, December 15, 2017



**Restore
New York**

Restore NY Guidelines Table of Contents

- Section 1: Intent to Apply Form (**must be received by 5:00 pm Friday, October 13, 2017**)
- Section 2: Program Description and Goals
- Section 3: Funding Proposal Submission Package Requirements
- Section 4: Funding Proposal Instructions
- Section 5: Funding and Project Limits
- Section 6: Scoring Criteria
- Section 7: Definitions
- Section 8: Terms and Conditions
- Section 9: State Historic Preservation Office (SHPO) Consultation Instructions
- Section 10: ESD Regional Offices and Other Resources
- Attachment: Restore NY Application



Section 1 – Intent to Apply for Restore NY Funding

If a municipality is intending to apply for Restore NY funding, this form must be submitted by the chief elected official. Mail form to the attention of Molly Bauer, Restore NY, Empire State Development, 625 Broadway, Albany, NY 12245 or e-mail a signed PDF copy to RNY5Intent@esd.ny.gov by **October 13, 2017**.

Applications from municipalities that do not submit this form will not be accepted.

ESD will acknowledge receipt of the Letter of Intent by sending a confirmation e-mail to the contact person identified below. It is the responsibility of the municipality to ensure that the Letter of Intent has been received by ESD. If an e-mail confirmation notice is not received by October 16th, the municipality must contact ESD at (518) 292-5200.

Municipal Name	
Street Address (not PO Box)	
City, State, Zip	
County	
Contact Name	
Title	
Phone Number	
E-Mail Address	
NYS Unemployment Insurance Tax #	
Type of Municipality	City <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/>
Senate District #(s) and Name(s) (If multiple, list all. Attach additional page if necessary.)	#
Assembly District #(s) and Name(s) (If multiple, list all. Attach additional page if necessary.)	#

In the section below, provide a brief project description that includes how the project meets Restore NY goals (e.g. that the project will demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed use buildings). The description should include the size of the project (e.g. number of and/or square feet of buildings in the project). It should also include the intended reuse of the properties and other salient information such as its location in a target area of the community, or that it is part of a local revitalization or urban development plan. The description should not exceed 150 words. **You must attach or include a list of the properties for which you will seek funding.** All municipalities are eligible to submit two letters of intent for normal projects, but only one application. Eligible municipalities may also submit one additional letter of intent for a special project as defined in Section 7 of the guidelines. Please document on the Intent to Apply forms if it is for a special project or not. **You may not apply for a project that was not the subject of an approved letter of intent.**

Name of Project	
Number of Properties	
Estimated Project Costs	
Estimated Restore NY Request	
Name of Development Company	
Briefly describe project	

Signature			
Title		Date	

Section 2 – Program Description and Goals

The 2017-18 State Budget provided new funding for the Restore New York Communities Initiative and gave Empire State Development the responsibility of implementing this program for the purpose of revitalizing communities and stabilizing neighborhoods.

Municipalities, defined as cities, towns, and villages, are invited to submit a Request for Funding Proposal for projects to demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned and surplus properties. Additionally, funds can be used for site development needs related to such projects, including but not limited to, water, sewer, and parking, but not exclusively for site development.

Projects should be architecturally consistent with nearby and adjacent properties or in a manner consistent with the municipality's local revitalization or urban development plan. Rehabilitation of municipal buildings and properties for municipal reuse is not eligible for Restore NY funding. Greenfield development is also ineligible.

All projects require no less than "10 percent of the award amount" in matching contributions. Cash and in-kind contributions are allowed. Please see Section 7 of the guidelines for further information on the match requirements.

An important goal of Restore NY is to revitalize urban centers. It is anticipated that, upon completion, the projects funded by Restore NY grants will attract individuals, families, industry and commercial enterprises to the municipality. It is further anticipated that the improved community and business climate will result in an increased tax base, thereby improving municipal finances and the wherewithal to further grow the municipality's tax and resource base and lessen its dependence on state aid.

Awards will be made to qualified applicants based on statutory criteria and, to the fullest extent possible, in a geographically proportionate manner throughout the state. As such, funds may not be awarded to some applications with higher scores.

Strong emphasis will be placed on projects from economically distressed communities as described in the statute. Priority will also be given to projects that leverage other state or federal redevelopment, remediation, or planning programs.

Strong emphasis will also be placed on project feasibility and readiness. Projects will score higher when they demonstrate that a majority of the criteria in Section 4 of the Application have been satisfied. This includes the following: Project Feasibility (e.g. market feasibility, business plan, letters of commitment on financing, etc.); Project Readiness (e.g. conformance with local planning and zoning, federal and state permits, etc.); Transportation and Utility Readiness (e.g. transportation analysis, utility evaluations, etc.); and Environmental Readiness (e.g. SEQRA and SHPO consultation, etc.). Applicants that can demonstrate that plans are in place, project financing has been committed, and that the project is expected to start within a year of a Restore NY award will be considered more competitive.

Section 3 – Funding Proposal Submission Package Requirements

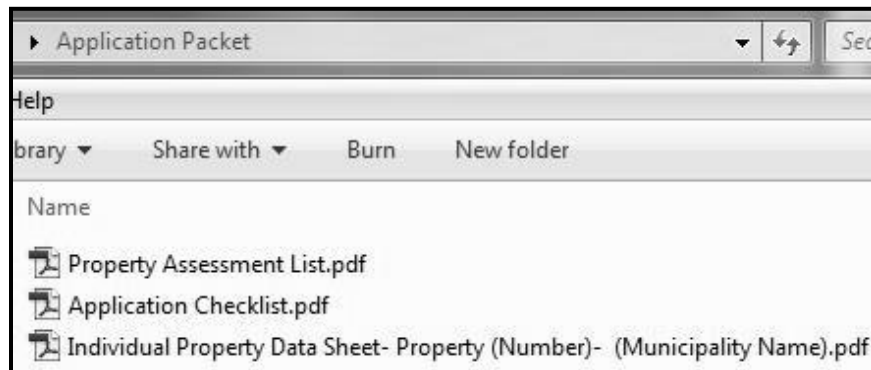
Intent to Apply Deadline	No later than 5:00pm EST on Friday, October 13, 2017
Application Deadline	No later than 3:00pm EST on Friday, December 15, 2017
Eligible Applicants	All New York State cities, towns, and villages (Counties, not-for-profit and private entities are not eligible.)
Number of Copies	<ul style="list-style-type: none"> ▪ 1 copy ▪ All materials must be on 8.5" x 11" paper ▪ Assemble documents in a 3-ring binder no thicker than 2 inches and include all forms, enclosures, and attachments ▪ Place the municipality's name on the cover <u>and</u> the spine of the binder
Mail or Deliver	<ul style="list-style-type: none"> ▪ <u>1 copy submitted via the CFA</u> ▪ <u>1 copy</u> of the Submission Package (defined below) and the Application Fee to: Empire State Development Attention Molly Bauer 625 Broadway Albany, NY 12245 ▪ IF there are more than 5 properties included in the project please submit 4 copies of the Individual Data Property Sheets to the above address.
Application Fee	<p>A non-refundable check payable to Urban Development Corporation d/b/a Empire State Development in the amounts indicated below:</p> <ul style="list-style-type: none"> ▪ \$2,000 for cities over 100,000 population ▪ \$1,000 for cities and villages of 40,000–99,999 population ▪ \$500 for municipalities under 39,999 population <p>If a community applies for a special project in addition to a normal project, it is required to pay the same fee for that application as well. Application Fee must be included with the application binder sent to the above address.</p>
Submission Package	<ul style="list-style-type: none"> ▪ Completed Restore NY Application and Attachments (Printed from the CFA) ▪ Certification of Completeness signed by a Municipal Official ▪ Written commitment(s) of matching funds ▪ Proof of Notice of Public Hearing ▪ Proof of publication of the Property Assessment List ▪ A true and complete copy of the Municipal Resolution ▪ Application Fee <p>All documents above are due at application deadline</p>
Questions	<p>See Section 10 for contact information.</p> <ul style="list-style-type: none"> ▪ For questions regarding this application, e-mail restoreny@esd.ny.gov or contact your local ESD Regional Office. ▪ For specific questions regarding SEQRA, contact the NYS Department of Environmental Conservation. ▪ For specific questions about SHPO, contact the NYS Office of Parks, Recreation and Historic Preservation, or ESD's Planning and Environmental Review Office.

Section 4 – Funding Proposal Instructions

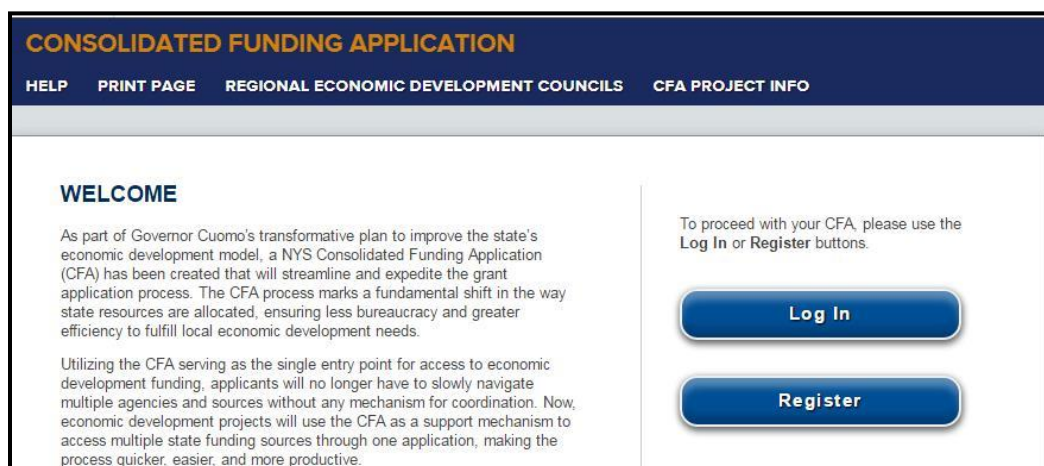
If the municipality intends to apply for Restore NY funding, an Intent to Apply form must be submitted by the chief executive of the municipality by **October 13, 2017** (see Section 1). All municipalities are eligible to submit two letters of intent for normal projects, but only one application. Eligible municipalities may submit one additional letter of intent for the special project. Please document on the Intent to Apply forms if it is for a special project or not. **Applications from municipalities that do not submit an Intent to Apply form will not be accepted.**

The Intent to Apply form must provide a brief project description that includes how the project meets Restore NY goals (e.g. that the project will demolish/deconstruct and/or rehabilitate/ reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed use buildings). The description should include the size of the project (e.g. number of and/or square feet of buildings in the project). It should also include the intended reuse of the properties and other salient information such as its location in a target area of the community, or that it is part of a local revitalization or urban development plan. The description should not exceed 150 words. Final application may not significantly differ from the Intent to Apply.

Upon receipt of the Intent to Apply Form, ESD will e-mail the primary contact the Restore NY Application Packet. This packet contains documents that will be needed for the application. The packet will also be available on the ESD Restore NY website.



Use of the States' Consolidated Funding Application (CFA) online portal is required. This application portal will collect all necessary information for the Restore NY application.



The Restore NY Application must be certified by the chief elected official that it is complete, true and accurate. Incomplete applications will not be considered. However, ESD, at its sole discretion, reserves the right to accept minor amendments and additions to this application.

The following documents must be included with your application:

- Property Assessment List- included in Restore NY Application Packet
- Individual property packet for each property- included in Restore NY Application Packet
- Project proposal from lead entity conducting project
- Credentials and qualifications/resume of lead entity conducting project
- Site map with each property clearly marked
- Letter from local planning/zoning officials stating project is compatible with local ordinances
- Third party project cost estimates
- Five years of operating pro formas
- Letter of matching fund commitments
- Publication proof of Property Assessment List*
- Publication proof of notice of public hearing**
- Municipal resolution

*A Property Assessment List (as defined in Section 7) must be published in a local daily newspaper either in print or online for three consecutive days. Evidence of the publication must be included in the application. Acceptable documentation is (1) photocopies of all three advertisements showing the dates of publication and/or (2) a signed receipt from the newspaper. Property Assessment List form is provided by ESD.

**A public hearing must be held to discuss the Restore NY application and the Property Assessment List. Proof of the publication of the Notice of a Public Hearing to discuss the Restore NY application and the Property Assessment List must be included in the application.

Individual properties must be bundled into a definable “project” (as defined in Section 7). The project may include the demolition, deconstruction, rehabilitation and/or reconstruction of a building or group of buildings that furthers the goals of revitalizing an urban center, encouraging commercial investment or adding value to the local housing stock. To constitute a coherent and cohesive project, a group of properties shall be selected because their revitalization is inter-related and will collectively advance a strategic objective of the local revitalization or urban development plan. A site map must be included for each project clearly identifying all targeted properties. If the buildings are not proximate to each other, an explanation of their strategic interrelationship should be included in the letter of intent and application.

All municipalities may apply for one project subject to the normal limits defined in Section 5. In addition, however, municipalities may also compete for one of up to three special project awards to be made statewide or may combine the two as defined in Section 7.

Individual Property Data Sheets and budgets must be completed for each property submitted. Attach a photograph of the building façade for each property. Attach a Site Control Affidavit for non-municipally owned properties (last page of the application packet).

The municipality’s legislative body must pass a resolution finding that the proposed project is consistent with the municipality’s local revitalization or urban development plan; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities where applicable. **A true and complete copy of the resolution must be included in the application.**

Section 5 – Funding and Project Limits

Applicant Funding and Project Limits	# Project	Funding Per Project
Cities over 100,000 population based on the last census	1 Project	\$5 million
Cities and villages between 40,000 and 99,999 population based on the last census	1 Project	\$2 million
All other municipalities	1 Project	\$1 million
Empire State Development may grant up to three special awards. Municipalities that are classified as highly distressed with populations less than 100,000 may apply for an additional \$5 million to put toward a second separate project OR toward part of a larger project in addition to the funding limits listed above. The project must meet the definition of a “special project,” as defined in Section 7 of the Restore NY Guidelines.	1 Project	\$5 million

The above funding per project is the maximum possible, but projects are also subject to the caps set forth below, a municipality may not be awarded the maximum. Commercial projects funding is determined by square foot caps and may not exceed the calculated amount unless there is a need for lead and/or asbestos removal. In that case the two numbers can be combined for a total funding cost. Residential projects funding is determined by the activity occurring (i.e. demolition and reconstruction), and may not exceed caps per property unless there is a need for lead and/or asbestos removal. In that case the two numbers can be combined for a total funding cost. An apartment building is considered one property regardless of the number of units in it.

Residential Property	Per Unit Maximum Allowance
Demolition/Deconstruction	\$20,000
Rehabilitation/Reconstruction	\$100,000

Maximum Commercial Building DEMOLITION Allowance Per Square Foot

Source: Marshall Valuation Service

ESD Region	Class A Structural Steel	Class B Reinforced Concrete	Class C Masonry Walls	Class D Wood or Steel	Class S Metal bents or Columns
Capital Region	\$7.66	\$9.70	\$6.28	\$5.42	\$5.07
Central NY	\$7.73	\$9.61	\$6.12	\$5.24	\$5.02
Finger Lakes	\$7.59	\$9.87	\$6.12	\$5.28	\$4.93
Long Island	\$10.04	\$12.34	\$7.90	\$6.92	\$6.65
Mid-Hudson	\$10.10	\$12.34	\$7.90	\$6.92	\$6.61
Mohawk Valley	\$7.19	\$9.10	\$5.79	\$5.10	\$4.67
New York City	\$10.10	\$12.34	\$7.96	\$6.97	\$6.65
North Country	\$6.92	\$8.51	\$5.52	\$4.86	\$4.49
Southern Tier	\$7.05	\$8.76	\$5.52	\$4.77	\$4.54
Western NY	\$7.80	\$9.70	\$6.33	\$5.42	\$5.07

Maximum Commercial Building CONSTRUCTION Allowance Per Square Foot

Source: Marshall Valuation Service

	OFFICE				LIGHT MANUFACTURING				RETAIL*	
	Class A	Class B	Class C	Class D	Class A	Class B	Class C	Class D	Class C	Class D
ESD Region	Structural Steel	Reinforced Concrete	Masonry or Concrete	Wood /Steel Studs	Structural Steel	Reinforced Concrete	Masonry Walls	Wood /Steel Studs	Masonry or Concrete	Wood or Steel Studs
Capital Region	\$185.19	\$180.70	\$134.35	\$122.24	\$92.45	\$88.52	\$61.43	\$53.91	\$98.79	\$89.63
Central NY	\$186.83	\$179.11	\$130.87	\$118.02	\$93.27	\$87.74	\$59.84	\$52.05	\$96.23	\$86.54
Finger Lakes	\$183.55	\$183.87	\$130.87	\$119.08	\$91.63	\$90.07	\$59.84	\$52.51	\$96.23	\$87.31
Long Island	\$242.55	\$229.84	\$169.09	\$155.96	\$121.09	\$112.59	\$77.32	\$68.78	\$124.33	\$114.35
Mid-Hudson	\$244.19	\$229.84	\$169.09	\$155.96	\$121.91	\$112.59	\$77.32	\$68.78	\$124.33	\$114.35
Mohawk Valley	\$173.72	\$169.60	\$123.92	\$114.86	\$86.73	\$83.08	\$56.66	\$50.65	\$91.12	\$84.22
NYC	\$244.19	\$229.84	\$170.25	\$157.01	\$121.91	\$112.59	\$77.85	\$69.24	\$125.19	\$115.12
North Country	\$167.16	\$158.51	\$118.13	\$109.59	\$83.45	\$77.65	\$54.02	\$48.33	\$86.86	\$80.36
Southern Tier	\$170.44	\$163.26	\$118.13	\$107.48	\$85.09	\$79.98	\$54.02	\$47.40	\$86.86	\$78.81
Western NY	\$188.47	\$180.70	\$135.50	\$122.24	\$94.09	\$88.52	\$61.96	\$53.91	\$99.64	\$89.63

* Retail includes retail mixed with office or residential.

**Maximum Allowance Where Certain HAZARDOUS MATERIALS are Present in the
Demolition or Reconstruction Per Square Foot**

Source: Marshall Valuation Service

ESD Region	Asbestos Abatement	Lead Removal
Capital Region	\$51.06	\$19.15
Central NY	\$49.74	\$18.66
Finger Lakes	\$49.74	\$18.66
Long Island	\$64.27	\$24.10
Mid-Hudson	\$64.27	\$24.10
Mohawk Valley	\$47.10	\$17.67
New York City	\$63.39	\$23.77
North Country	\$44.90	\$16.84
Southern Tier	\$45.34	\$17.01
Western NY	\$51.50	\$19.32

Section 6 – Scoring Criteria

Applications will be scored based on how they address the goals of the Restore NY Communities Initiative and statutory criteria. Awards will be made, to the fullest extent possible, in a geographically proportionate manner throughout the state. As such, funds may not be awarded to some applications with higher scores.

A maximum of 115 points can be achieved based the categories defined in the table below.

Points	Criteria	Scale
Up to 15	Economic Distress	15 – High 10 – Moderate 5 – Slight
Up to 25	Other Statutory Priorities	5 – Mostly in an Investment Zone –or– 5 – Mostly in a Brownfield Opportunity Area Up to 20 – Leverage of other State and Federal Programs
Up to 40	Program Goals	Up to 20 – Induce Commercial Investment Up to 10 – Revitalize an Urban Center Up to 10 – Improve Local Housing
Up to 20	Project Readiness / Feasibility	Up to 20
Up to 15	President/CEO Commissioner Discretion	Up to 15
Maximum 115		

Section 7 – Definitions

BROWNFIELD shall mean any real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

BROWNFIELD OPPORTUNITY AREA (BOA) shall mean an area of the municipality that has been approved for funding under the Brownfield Opportunity Area Program for the purpose of establishing a community based revitalization plan and implementation strategy to achieve brownfield redevelopment in a proactive and systematic way.

BUILDING CATEGORY shall mean the following:

- ABANDONED shall mean a wrecked or derelict building that has been left abandoned and unprotected.
- CONDEMNED shall mean a building declared by official order to be unfit for use.
- SURPLUS shall mean a municipally-owned building deemed surplus or no longer required.
- VACANT shall mean having no occupants, or is mostly unoccupied.

BUILDING TYPE shall mean the following:

- COMMERCIAL shall mean real estate zoned for business or industrial use including retail, and that is at least 85% used for business, industrial and/or retail purposes.
- RESIDENTIAL shall mean real estate that is zoned for single-family homes, multi-family apartments, townhouses, condominiums and co-ops, and that is at least 85% used for residential purposes.
- MIXED USE shall mean buildings that include a combination of commercial, office, retail and residential uses.

ECONOMICALLY DISTRESSED COMMUNITY shall mean the following:

- HIGHLY DISTRESSED COMMUNITIES shall have at least 100 households receiving public assistance income in the last decennial census (threshold requirement) and meet at least 7 of the criteria listed below:
- MODERATELY DISTRESSED COMMUNITIES shall have at least 100 households receiving public assistance income in the last decennial census (threshold requirement) and meet at least 5 of the criteria listed below:
- SLIGHTLY DISTRESSED COMMUNITIES shall have at least 100 households receiving public assistance income in the last decennial census (threshold requirement) and meet 4 of the criteria listed below:
 - ☐ Population loss between the last and previous decennial census – an absolute loss in population.
 - ☐ Unemployment rate (2015 ACS 5 year average) higher than the state (8.2%). (Municipal rate was used if population was over 25,000, otherwise county rate was used.)
 - ☐ Private sector employment growth rate between 2010 and 2015 was lower than the state's rate (2.5%) OR Private sector employment in 2015 was less than the state (78.0%)
 - ☐ Portion of households receiving public assistance in 2015 was greater than the statewide portion (15.4%).

- ☐ Poverty rate in 2015 was greater than the state's poverty rate (15.7%).
- ☐ Per Capita Income change between 2010 and 2015 was less than the growth in the consumer price index (CPI) for all urban consumers nationally (8.5 percent) OR Per capita income in the municipality was less than the state's per capita income (\$32,236) in 2015
- ☐ Full Value Assessment of Taxable Property growth between 2010 and 2015 was less than the statewide growth.
- ☐ Taxable sales growth rate between the period of March 2009 through February 2010 and the period of March 2012 through February 2013 in the county was less than the statewide growth in taxable sales.

ELIGIBLE APPLICANT shall mean any New York State city, town, or village.

GREENFIELD shall mean a piece of property that is undeveloped or a previously developed site that has been cleaned up and is ready for redevelopment. Greenfield projects are not eligible for Restore NY funding.

IN-KIND shall mean a contribution, service or administrative cost associated with the project including funds from other federal, state, or local governments and private contributions. For Restore NY purposes, in-kind contributions will be allowed retroactive to the enactment of the Restore NY round five appropriation (April 10, 2017).

HISTORIC AND/OR CULTURAL PLACE OR PROPERTY shall mean any building, structure, district, area, site, or object, including an underground and underwater site, that is of significance in the history, architecture, archeology, or culture of the state, community, or nation.

LEAD AGENCY shall mean a public entity principally responsible for undertaking, funding, or approving a project. Examples of lead agencies are county industrial development agencies; municipal planning agencies, boards, and councils; health departments; and zoning boards.

MATCH shall mean cash (which is encouraged) or the value of in-kind services, contributions, or administrative costs dedicated to this project, including funds from federal, state (other than Restore NY funds) and local government sources, and funds from private contributions. Match amounts must be "firmly committed" and will support the proposed Restore NY project. "Firmly committed" shall mean there must be a signed, written agreement to provide the resources and services. The written agreement may be contingent upon an applicant receiving a Restore NY award.

MUNICIPALITY shall mean a municipal subdivision that is a city, town, or village.

RESIDENTIAL PROPERTY shall mean a separately assessed lot, parcel, piece or portion of real property used, or that is to be used, as a private dwelling.

PROJECT shall mean the demolition, deconstruction, rehabilitation, or reconstruction of a building or group of buildings that furthers the goal of revitalizing an urban center, encouraging commercial investment, or adding value to the local housing stock. To constitute a coherent and cohesive project, a group of properties shall be selected because their reconstruction, rehabilitation, deconstruction or demolition is inter-related and will collectively advance a strategic objective of the local revitalization or urban development plan.

PROJECT TYPE shall mean the following:

- DEMOLITION shall mean to completely tear down or raze a building.
- DECONSTRUCTION shall mean the careful disassembly of a building of architectural or historic significance with the intent to rehabilitate or reconstruct the building, or salvage the disassembled material from the building for reuse.
- REHABILITATION shall mean structural repairs, mechanical systems repair or replacement, repairs related to deferred maintenance, emergency repairs, energy efficiency upgrades, accessibility improvements, mitigation of lead-based hazards, and other repairs that result in a significant improvement to the property, provided however, that to the extent possible, such rehabilitation shall be architecturally consistent with nearby and adjacent properties, or done in a manner consistent with a local revitalization or urban development plan.
- RECONSTRUCTION shall mean the construction of a new building, which is similar in architectural style, size and purpose to a previously existing building at such location, provided however, that to the extent possible that such reconstruction is architecturally consistent with nearby and adjacent properties, or in a manner consistent with a local revitalization or urban development plan.

PROPERTY ASSESSMENT LIST shall mean a list compiled by a municipality, after it conducts an assessment of vacant, abandoned, surplus or condemned buildings within its jurisdiction, and based upon that assessment: (i) sets forth for each property a description of each building that includes the location, size and residential or commercial natures of each building, and whether the building is proposed to be demolished, deconstructed, rehabilitated or reconstructed; (ii) that has been published in a local daily newspaper for no less than three consecutive days; and (iii) that has been the subject of public hearings in the municipalities where the buildings are located.

SITE CONTROL shall mean (i) ownership by the municipal applicant or (ii) written consent from the ownership entity and, if different, the entity that has legal control of the site consenting to the application for Restore NY funding and, if awarded, agreeing to use Restore NY funds as outlined in the application.

SOFT COSTS shall mean costs related to those items in a project that are necessary to prepare and complete the non-construction needs of the project. Soft costs include such items as architecture, design, engineering, permits, inspections, consultants, environmental studies, and regulatory demands needing approval before construction begins. Soft costs do not include construction, telecommunications, furnishings, fixed equipment, and expenditures for any other permanent components of the project.

SPECIAL PROJECT shall mean a project that results from a severe economic injury to the community, leaving a highly visible and blighted property or properties in the central business district of a highly distressed community which has a depressing effect on the overall economic development potential of the community. This is limited to municipalities with populations less than 100,000 that are classified as highly distressed according to ESD's definitions in Section 7 and listed on the Restore NY website.

URBAN CENTER shall mean a central place that functions as the dominant center of an urban area. The U.S. Census Bureau identifies one or more central places for each urbanized area (UA) or urban cluster (UC). Among municipalities, any incorporated place that is in the title of the urban area is a central place of that UA or UC. In addition, any other incorporated place that has an urban population of 50,000 or an urban population of at least 2,500 people and is at least 2/3 the size of the largest place within the urban area also is a central place. Any city or village that is part of a UA or UC and the population of which constitutes no less than 5% of the UA or UC will also be considered an Urban Center.

Section 8 – Terms and Conditions

A municipality that is granted an award or awards shall provide a matching contribution of no less than ten percent of the aggregated Restore NY award or awards amount. Such matching contribution may be cash or the value of in-kind services, contributions or administrative costs dedicated to this project, including funds from federal, state (other than Restore NY funds) and local government sources and funds from private contributions. Match amounts must be “firmly committed” to support the proposed Restore NY project. “Firmly committed” shall mean there must be a signed, written agreement to provide the resources and services. The written agreement may be contingent upon an applicant receiving a Restore NY award.

In-kind contributions may include, but shall not be limited to, the efforts of municipalities to conduct an inventory and assessment of vacant, abandoned, surplus, condemned and deteriorated buildings, and to manage and administer grants awarded to the municipality from the Restore NY Communities Initiative.

Final funding awards will be subject to approval by ESDC Board of Directors following project selection and the anticipated availability of funds. A .1% commitment fee based on the grant amount awarded (not to be less than \$100) will be assessed to all awardees. The commitment fee will be due upon Board approval.

ESD reserves the right to offer project awards to sponsors in different amounts and under different terms than requested. ESD reserves the right to review and reconsider project and property selections in the event of material changes in the project plans or circumstances. Expenditures incurred prior to the application due date (December 15, 2017) are not eligible for reimbursement by Restore NY grant funds.

Applications shall be reviewed by the Affirmative Action Unit of ESD, which shall, in consultation with the applicant and/or proposed recipient of Restore NY assistance and any other relevant interested parties, develop appropriate goals, in compliance with applicable law (including Section 2879 of the Public Authorities Law, Article 15-A of the Executive Law and Section 6254 (11) of the Unconsolidated Laws) and the policy of ESD, for participation by minority group members and women. Compliance with laws and the policy of ESD prohibiting discrimination in employment on the basis of age, race, creed, color, national origin, gender, sexual preference, disability, or marital status shall be required.

ESD’s Non-discrimination and Contractor Diversity policy will apply to the Restore projects. The Recipient shall be required to use good faith efforts to achieve an overall Minority and Women Business Enterprise (“MWBE”) participation goal to be set at the time of the award, a goal related to the total value of ESD’s funding and to solicit and utilize MWBEs for any contractual opportunities generated in connection with the project.

Final funding awards will be subject to ESD Board of Directors approval; approval by the New York State Office of Parks, Recreation and Historic Preservation (if applicable); public hearing; and approval by the Public Authorities Control Board.

It is expected the project will proceed in the time frame set forth by the applicant. If the implementation of a project fails to proceed as planned and is delayed for a significant period of time and there is, in the exclusive judgment of ESD, doubt as to its viability, ESD reserves the right to cancel its funding commitment to such project. All Restore NY awards will expire 2 years from the award date unless expressly extended by ESD.

ESD encourages the environmentally sustainable practice of recycling construction/demolition (C&D) debris rather than disposition in a landfill. As this is an emerging practice that may not yet be available or commercially feasible in every region of the state, ESD’s Environmental Division will survey municipalities receiving Restore NY awards and their deconstruction/demolition contractors to learn what options they had for C&D debris disposition and whether any of the material was recycled. As a condition of award, the municipality and its contractors must provide the information requested in this survey. NOTE: While C&D recycling is encouraged, it is not required.

Section 9 – State Historic Preservation Office (SHPO) Consultation Instructions

Under the New York State Historic Preservation Act, Section 14.09 and its associated rules and regulations, State funded (in whole or in part) activities that have the potential to affect historic properties, either directly or indirectly, must be evaluated by the State Historic Preservation Office (SHPO) of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). Regulations associated with this law define a Historic and/or Cultural Place or Property as “any building, structure, district, area, site or object including underground and underwater sites, that is of significance in the history, architecture, archeology or culture of this state, its community or the nation.”

The SHPO process does not need to be completed prior to the submission of the Restore NY application; however, it MUST be completed prior to the approval by ESD Board of Directors. No Restore NY grant funds can be disbursed prior to ESD Board approval.

In order to expedite the SHPO review process, the applicant must provide the information outlined below for the appropriate project category. Project information should be provided to OPRHP via their Cultural Resource Information System (CRIS). This interactive, web-based system offers the public and government partners convenient and extensive access to the agency’s historic records while streamlining the agency’s delivery of historic preservation programs. The system is available at <https://cris.parks.ny.gov/>. If you or your consultant has not already used NY-CRIS, please go to <http://nysparks.com/shpo/online-tools/> and select the link for the “How to” video, which will guide you through the log-in and project submission process. OPRHP suggests that if you have not previously accessed the CRIS system that you sign up for an NY.GOV account when prompted. This will give you more comprehensive access to the system. CRIS related questions can be submitted to CRISHelp@parks.ny.gov.

All new project entries into the CRIS program should enter the Project Name beginning with “Restore NY” then the name of the project and then the number of involved buildings.

Example: Restore NY/Smith Road Rehabilitation/12 Buildings

Demolition Projects

For a demolition project involving a single building (parcel) or a grouping of contiguous buildings (parcels) the information should be entered into CRIS as a single project. In Step 3 of CRIS you will be asked if your project includes one or multiple parcels. If your project is a single property you will select that option in this step. If the project involves multiple adjacent buildings and parcels select the multiple parcel option and draw a boundary around the project area in CRIS Step 3.

Next, in CRIS Step 4 (Built Resources) you will be asked to add specific information about the building associated with your project. Complete this data and add current photographs (jpg.) of the building and any other building specific information. Please be sure to only link building specific photographs and data in this section. Project specific data will be added in a later step.

Once you complete a building’s information you will be brought to the Built Resource grid where you can add another property if your project contains more than one building (multiple parcels). To add another building you will select the “Enter Built Resource” tab and provide the requested information for the property (parcel). You will repeat this process for each building involved in your project.

For demolition projects of discontinuous buildings (parcels) the submission process follows the same guidance as above. However, in CRIS Step 3 when asked if the project includes multiple properties you will need to select the single property option. This will bypass the need to enter each individual building (parcel) site as a separate and new project in CRIS.

Complete CRIS Step 4 as outlined above. Once again, in CRIS Step 4 ONLY attach photographs and historic information for the individual building that you are recording at that time. Do not link project level information at this step, such as site plans or project scopes of work.

In CRIS Step 5 you will need to add a project map or maps (pdf) locating all the involved properties to be included in the project. This is accomplished by selecting the “Attachment” tab and linking a copy of the map (pdf). Additional information about the overall project or individual projects can also be attached here. Be sure to label them carefully when uploading the files. Additional project level photographs can also be added in this step under the “Photos” tab.

Rehabilitation Projects

For individual rehabilitation projects please follow the same CRIS project entry information provided above.

New Construction Projects

For new construction projects, please follow the same CRIS project entry information provided above.

However, in CRIS Step 2 you will need to select the “Will this project involve ground disturbance” option and respond. Documentation of prior ground disturbance will need to be linked in CRIS Step 5. Please be aware that standard farming activities are not classified as ground disturbing activities for the purposes of archaeological assessment.

Under CRIS Step 5 be sure to include photographs of the site to be built on and views looking from the site under the “Photos” tab. Under the “Attachments” tab please add a site plan and any elevations floor plans that are available that depict what is proposed for construction.

It is recommended that the municipality contact NYSHPO’s regional staff associated with its area during the application process. Regional staff contact information can be found at <http://nysparks.state.ny.us>. Click on Historic Preservation; next click on Territorial Assignments. Staff members are listed by the counties they service. Help with the CRIS system can be found by contacting CRISHelp@parks.ny.gov.

To check for National Register listed or known eligible properties, historic districts and archaeologically sensitive areas that may include or involve a project, please go to <https://cris.parks.ny.gov/> and use the SEARCH function.

Section 10 – ESD Regional Offices and Other Resources

Letter of Intent E-Mail Address: RNY5Intent@esd.ny.gov

General Restore NY Questions: restoreny@esd.ny.gov

EMPIRE STATE DEVELOPMENT REGIONAL OFFICES AND COUNTIES SERVED

Capital – Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Warren and Washington

Empire State Development
Hedley Park Place
433 River Street, Suite 1003
Troy, NY 12180
P: 518-270-1130

Central NY – Cayuga, Cortland, Madison, Onondaga, and Oswego

Empire State Development
620 Erie Boulevard West - Suite 112
Syracuse, NY 13204
P: 315-425-9110

Finger Lakes – Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates

Empire State Development
400 Andrews Street - Suite 710
Rochester, NY 14604
P: 585-399-7050

Long Island – Nassau and Suffolk

Empire State Development
150 Motor Parkway, Suite 311
Hauppauge, New York 11788
P: 631-435-0717

Mid-Hudson – Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester

Empire State Development
33 Airport Center Drive - Suite 201
New Windsor, NY 12553
P: 845-567-4882

Mohawk Valley – Fulton, Herkimer, Montgomery, Oneida, Otsego, and Schoharie

Empire State Development
207 Genesee Street
Utica, NY 13501
P: 315-793-2366

North Country East – Clinton, Essex and Franklin and Hamilton

Empire State Development
401 West Bay Plaza
Plattsburgh, NY 12901
P: 518-561-5642

North Country West – Jefferson, Lewis and St. Lawrence

Empire State Development
Dulles State Office Bldg.
317 Washington T, 2nd Floor
Watertown, NY 13601
P: 315-785- 7941

New York City

Empire State Development
New York City Regional Office
633 Third Avenue
New York, NY 10017
P: 212-803-3130

Southern Tier – Broome, Chenango, Chemung, Delaware, Steuben, Schuyler, Tioga and Tompkins

Empire State Development
Binghamton Office State Office Building
44 Hawley Street, Room 1508
Binghamton, NY 13901
P: 607-721-8605

Western NY – Allegany, Cattaraugus, Chautauqua, Erie and Niagara

Empire State Development
95 Perry Street, Fifth Floor
Buffalo, NY 14204
P: (716) 846-8200

Empire State Development Planning and Environmental Review Office

- (212) 803-3252 or 3253

NYS Department of Environmental Conservation

- <http://www.dec.ny.gov>

NYS OPRHP Office of State Historic Preservation Office

- <http://nysparks.state.ny.us/shpo>