

Economic Growth & Development Committee
Planning & Community Development Agenda
January 20, 2021

COMMITTEE MEMBERS: Supervisors **HOGAN**, Wild, Frasier, Strough, Leggett, Geraghty, Merlino

I. Committee meeting called to order by the Chair

II. Approval of minutes of prior Committee Meeting

III. Action Agenda/New Business Items:

1. Request: Reso #5: Apply for CDBG Grant from NYS Housing Trust Fund
Rationale: Grant application in partnership with the Town of Johnsburg to request funds for needed upgrades to the Tannery Pond Community Center. Using a mix of local funding and Main Street assistance the Town will upgrade the existing HVAC system to comply with CDC COVID filtration requirements, address energy conservation measures throughout the building and correct fire code issues. These actions will allow the building to reopen for public venues and also provide public access through digital delivery of performances and meetings.
2. Request: Reso #20: Closeout of CD74 – Countryside Adult Home
Rationale: This CDBG Project is complete and can be closed out.

IV. Discussion Items:

1. Brief presentation: Planning Department 2020 Year in Review

V. Referrals/Pending Items: None

VI. Privilege of the Floor and public comment (please allow 15 second delay on live stream meetings)

VII. Motion to Adjourn

Attachments:

1. Reso #5: Apply for a Grant Application – CDBG funds
2. Reso #20: Misc – closeout of CD74

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: Planning and Community Development

DATE: Jan 2021

- (a) Purpose of Grant:
CDBG Program
- (b) Name of Grantor:
NYS Housing Trust Fund
- (c) Address of Contractor:
To be determined
- (d) Grantor's Contact Person and Telephone Number:

- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? NOFA attached
- (f) Effective Date of Grant: TBD by grantor agency
- (g) Termination Date of Grant: 2 years from award date
- (h) Total Dollar Amount Involved (not to exceed): TBD by individual project sponsors

- (i) Deadline to Submit Grant Application and/or Grant Agreement:
5 March 2021
- (j) Is a Budget amendment required? No If yes, also complete and submit Form No. 7.

- (k) Are the funds to go into a Capital Project or Capital Reserve Project? If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.

- (i) Is a Local Share Required? Yes If Yes, Where are the Funds? List Budget Code, Object Code, Full Title* and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount:

Local share to be provided by individual project sponsors

Sample: A.1010 470 Legislative Board – Contract \$xx.xx

Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx

* The Department is requesting authorization to submit one or more applications under the CDBG Program. Specific projects that meet ALL of the program criteria will be reviewed and final determination of project(s) will be made in consultation with the County Administrator and Committee Chair or a special meeting of the Committee

New York State
COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM

2020 Consolidated Funding Application for
Public Infrastructure, Public Facilities, &
Community Planning



**Homes and
Community Renewal**

OFFICE OF COMMUNITY RENEWAL

ANDREW M. CUOMO, GOVERNOR
RUTHANNE VISNAUSKAS, COMMISSIONER

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I. INTRODUCTION

In accordance with New York State's 2016-2020 Consolidated Plan and its 2020 Annual Action Plan as proposed, the Office of Community Renewal (OCR) invites eligible applicants to submit an application for Community Development Block Grant (NYS CDBG) funding. NYS CDBG funds provide small communities and counties in New York State with a great opportunity to undertake activities that focus on community development needs, such as creating or expanding job opportunities, providing safe affordable housing, and addressing local public infrastructure and public facilities issues. OCR encourages communities to propose activities that are creative and innovative in addressing their needs.

The 2020 Application Guidance provides information necessary to document the eligibility of the activity, compliance with the Primary and National Objectives, the need for the activity, and its overall impact on the community. It contains information to assist applicants in compiling a complete, relevant and competitive application. Therefore, it is important for prospective applicants to read it carefully and to become familiar with all applicable guidelines and requirements. The Federal regulations set forth at 24 CFR Part 570 and specifically, Subpart I of 24 CFR 570 are the governing regulations of the NYS CDBG Program for non-entitlement communities.

II. PROGRAM OBJECTIVES

A. OBJECTIVES OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

As set forth in the Federal Housing and Community Development Act, the Primary Objective of the CDBG program "is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income (LMI)."

B. OBJECTIVES OF THE NEW YORK STATE CDBG PROGRAM

Financial assistance will be provided for the development of projects that meet the NYS CDBG Program Objectives and that provide decent, safe affordable housing, access to clean drinking water, proper disposal of household wastewater, access to local public facilities, and economic opportunities for persons from LMI households by supporting development projects that are designed to create or retain employment opportunities or foster Microenterprise activities and provide opportunities through planning efforts to address community development needs.

In support of New York's community development goals, the NYS CDBG Program will:

1. Encourage investment in communities by assisting local governments in devising and implementing economic development strategies to revitalize viable communities and provide economic opportunities that principally benefit LMI persons;
2. Revitalize the vibrancy of New York's communities and enhance the quality of life through improvements to public infrastructure and public facilities;
3. Develop and implement strategies that facilitate the coordination of NYS CDBG funding with other Federal, State, and local community development resources;
4. Support a mix of rehabilitation and conversion activities to preserve and increase affordable housing for both renters and homeowners.

III. PROGRAM OUTLINE

A. FUNDING AVAILABILITY

Approximately \$49 million of NYS CDBG funds may be available for Program Year 2020. Available funds may be allocated in the following manner: Community Development Funding (50%); Economic Development Assistance (44%); Imminent Threat (3%); Technical Assistance & Capacity Building (1%); and Program Administration (2%).

Applicants seeking funding for Public Infrastructure, Public Facilities, and Community Planning activities should apply for assistance through the [New York State Consolidated Funding Application](#) from **January 4, 2021 to March 5, 2021**

Applicants seeking assistance for housing activities including housing rehabilitation, homeownership, and private water/wastewater activities, must apply for funding under the competitive housing application process which may be announced at a later date.

Economic Development and Small Business Assistance funds may be available throughout the 2020 Program Year for projects that may meet the New York State priorities for economic development. Imminent Threat funding may also be made available throughout the 2020 Program Year for CDBG eligible activities that address situations affecting the public health, welfare, and/or safety, which require immediate resolution, typically in a Federal or State declared disaster area. For more information on additional Economic Development funds or Imminent Threat funding, contact the Office of Community Renewal at (518) 474-2057.

This application guide provides the requirements that must be met for applicants to request NYS CDBG funding under community development assistance for Public Infrastructure and Public Facility activities and Economic Development Assistance. New York State must ensure that at least 70% of the NYS CDBG annual allocation be used to fund activities where at least 51% of the beneficiaries are low- and moderate-income.

Each activity proposed must satisfy the requirements of the National Objective selected and evidence of compliance must be submitted with the application as an exhibit, as requested in the Additional Requirements Section A, National Objective Compliance. If satisfactory evidence of compliance with a National Objective is not provided, the proposed activity will be considered ineligible and will not be considered for funding.

PROJECT TYPE	NATIONAL OBJECTIVE CODES AND BENEFICIARIES							
	LOW- AND MODERATE-INCOME					URGENT NEED	SLUMS AND BLIGHT	
	LMH	LMA	LMC	LMCMC	LMJ	URG	SBA	SBS
Lateral Connection Assistance	Persons							
Public Infrastructure and Facility		Persons	Persons	Jobs	Jobs	Persons	Persons	Persons

LMH – Low/Mod Housing direct benefit: activities that are carried out for the purpose of providing or improving permanent residential structures, which will be occupied by low/mod income households. 24 CFR 570.208(a)(3)
LMA – Low/Mod Area benefit: the service area identified for activities is primarily low/mod income. 24 CFR 570.208(a)(1)
LMC – Low/Mod Limited Clientele benefit: activities that benefit a limited clientele as identified in 24 CFR 570.208(a)(2)
LMJ – Low/Mod Job Creation or Retention benefit: activities designed to create or retain permanent jobs, at least 51% of which will involve the employment of low/mod persons. 24 CFR 570.208(a)(4)
URG – Urgent Need: activities that are carried out for the purpose of addressing an immediate threat to health, safety or welfare of the beneficiary and is of recent origin. 24 CFR 570.483(d).
SBA – Slum/Blight Area benefit: activities that address prevention or elimination of slums or blight in a designated area. 24 CFR 570.208(b)(3)
SBS – Slum/Blight Spot basis: site-specific activities that address conditions of blight or physical decay. 24 CFR 570.208(b)(2)

Note: Planning activities must demonstrate National Objective Compliance upon implementation

B. FUNDING LIMITS

Public Infrastructure	Maximum
Counties, Towns, Cities or Villages	\$1,000,000
*With NYS Co-Funding Initiative	\$1,250,000
Joint Applicants	\$1,500,000
*Joint w/Co-Funding Initiative	\$1,750,000
Public Facilities	
Counties, Towns, Cities or Villages	\$300,000
Planning	
Counties, Towns, Cities or Villages	\$50,000

Exceptions to these limits may be made in cases where it is found that a project or projects may have a significant impact that may realize a potential for regional or statewide economic impact.

For Public Infrastructure, Public Facility projects, applicants should only apply for the amount of funding that can be fully expended and the type of activities that can be completed within the specified project completion period of twenty-four (24) months. All proposed accomplishments must be completed and reported within the project completion period.

For Planning projects, applicants should only apply for the amount of funding that can be fully expended and the type of activities that can be completed within the specified project completion period of fourteen (14) months.

Program Income

Each Applicant must certify to the Office of Community Renewal (OCR) the amount of program income from New York State administered CDBG grants on hand at the time of application. **All applicants** must fill out, sign and attach the [CDBG Program Income Report](#) to the Consolidated Funding Application.

*Co-Funding

For certain “co-funded” Public Infrastructure projects, single applicants may apply for an amount of funding not to exceed \$1,250,000 (\$1,750,000 for joint applicants). “Co-funded” projects are those projects that include other State and/or Federal sources including, but not limited to, USDA Rural Development and/or NYS Environmental Facilities Corporation (EFC). In order to qualify for this higher funding threshold, the Applicant must clearly demonstrate that other co-funded sources are firmly committed and in place at the time of application. Qualifying documentation includes:

- USDA - Preliminary Funding Estimate (PFE)
- NYS EFC - Project listed on Intended Use Plan (IUP) AND financing application has been submitted
- Other Sources – Contact NYS OCR

All qualifying documentation must be submitted as an attachment to the funding application and is subject to review and approval by the OCR.

Pre-Development Costs

OCR may consider certain eligible pre-award costs for water, sewer, or storm water projects only, which may include pre-development costs necessary to complete the environmental review process required for all CDBG projects under the National Environmental Policy Act (NEPA). These expenses may include, but are not limited to:

- Engineering or design work needed to obtain approval from state or Federal agencies
- Administrative costs incurred consulting with state and Federal agencies
- Permitting activities needed to complete the Environmental Review Record (ERR) and/or Request for Release of Funds (RROF). This includes addressing State Environmental Quality Review Act (SEQRA) process requirements as applicable

Pre-development costs incurred up to 12 months prior to grant award may be included as part of the project budget. Eligible costs must still meet all CDBG rules and regulations including Federal procurement and civil rights requirements and must be in compliance with 2CFR 200. **Please contact OCR prior to considering incorporating pre-award costs into the project budget to ensure that those costs are eligible.**

Other Guidance

Applicants should not proceed with a project that cannot be completed within the specified timeframe or with the assumption that an extension of the project deadline will be considered. Grant recipients who are unable to satisfy the term of their grant agreement may be unable to secure further OCR funding until such time as the prior grants have been completed or the funds recaptured. Inability to meet the required timeframe may be viewed as an issue of project readiness and/or inadequate local capacity to carry out grant activities in a timely manner and may require significant additional actions on the part of the municipality to ensure that any potential future grants will be completed within the term of the grant agreement.

Applicants may submit multiple applications up to the maximum per activity. The total amount requested by the Applicant between the two categories of Public Infrastructure and Public Facilities cannot exceed the individual caps listed above for counties, cities, towns and villages, with the exception of single projects that qualify under the higher threshold as described above. Applicants may also request up to the maximum listed for Planning regardless of any other applications submitted for any other categories of assistance. However, as noted above, demonstrated capacity to carry out each grant activity in a timely manner is a factor in the application review process, so funding requests should be determined with this in consideration.

C. ELIGIBLE APPLICANTS

Eligible applicants are non-entitlement units of general local government (County, Town, City, or Village), excluding metropolitan cities, urban counties, and Indian Tribes that are designated Entitlement Communities. Non-entitlement areas

are defined as cities, towns, and villages with populations of less than 50,000 except those designated principal cities of Metropolitan Statistical Areas, and counties with populations of less than 200,000. A list of eligible communities is available at on the OCR website under [Program Guidelines](#).

Counties may apply on behalf of units of general local government located within their jurisdiction when the unit of general local government has authorized the County to apply. The unit of general local government will be considered the Applicant for determining grant limits, and its statistics will be used for purposes of the selection factors. A cooperation agreement between the County and the local government, an authorizing resolution issued by the local government, and an explanation as to why the arrangement is needed must be included as an attachment to the application.

When a joint effort is required to solve a common water or sewer problem faced by two or more eligible local governments, a joint application may be submitted. Local governments, however, must not only share a common problem that crosses their municipal boundaries but must also be able to demonstrate that a joint effort is required to solve the problem. A cooperation agreement between the local governments must be included as an attachment to the application. Joint applications submitted only for administrative convenience are not eligible and will not be considered for funding. Note that each Applicant individually must adhere to citizen participation requirements. Each participating municipality must hold a public hearing prior to application. Consultation with OCR is strongly encouraged.

D. ELIGIBILITY RESTRICTIONS

Prior Recipients of NYS CDBG Program funds are subject to an evaluation of capacity and performance and must resolve all outstanding audit, monitoring and/or non-compliance issues which involve a violation of Federal, State or local law or CDBG program requirements prior to the submission of an application for funding. An Applicant may be ineligible for a grant when its performance evidences significant lack of capacity to carry out the proposed project or program as required and according to the applicable laws, regulations, policies and procedures governing the NYS CDBG Program.

E. TYPES OF APPLICATIONS

NYS CDBG Applicants must address and resolve a specific community or economic development need within one of the following areas: (1) Public Infrastructure (2) Public Facilities, and (3) Planning.

Applications may consist of more than one activity if one of the activities is incidental to, or in support of, the primary activity. For a project consisting of more than one activity, the activity that directly addresses the primary need must represent the majority of the funds requested. For example, an application for a public water or sewer activity can include an activity that provides lateral connection assistance that clearly supports the public water or sewer activity and represents a relatively small percentage of the funds in comparison to the primary public water or sewer activity. The lateral connection activity must clearly be in support of the public water or sewer project as well as demonstrate compliance with a National Objective and the NYS Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010). NYS CDBG funds should not be requested for more than one activity in a single application if the additional activities are not incidental to, or in support of, a principal activity. Note that ancillary activities, such as homeowner service lateral replacement, may not exceed 10% of the grant amount without formal approval from OCR.

F. FUNDING CATEGORIES

1. PUBLIC INFRASTRUCTURE

The NYS CDBG Public Infrastructure program consists of two funding activities: drinking water/clean water/storm water and public works. Eligible projects for NYS CDBG Public Infrastructure may include the repair or replacement of existing systems, construction of new systems, or expansion of existing systems into areas previously unserved that are in compliance with the NYS Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010) and principally benefit low- and moderate-income persons. Under the Public Infrastructure category, the benefit to low- and moderate-income persons is most commonly achieved through an area benefit. For more information regarding National Objective Compliance, refer to the Application Guidance located on the OCR website under [Funding Round Materials](#).

The drinking water/clean water/storm water activity includes, but is not limited to, public or private water source development, storage, and distribution; sanitary sewage collection and treatment; flood control and storm water drainage; and municipal utilities. The aforementioned types of projects may also include ancillary public works components such as sidewalks, streets, parking, open space, and publicly owned utilities. Note that ancillary activities, such as homeowner service lateral replacement, may not exceed 10% of the grant amount without formal approval from OCR.

The Public Works activity consists of, but is not limited to, standalone public works components such as streets, parking, open space, and publicly owned utilities. Public works activities should be creatively designed to leverage the availability of other Consolidated Funding Application (CFA) funding sources to the greatest extent possible.

Funding for standalone residential water and sewer lateral connections is not available as part of the CFA. These types of applications may be available separately as part of HCR's Housing Funding Category, which may be announced later this year. For information on [OCR's non-CFA funding opportunities](#) see the OCR website.

OCR may consider certain eligible pre-award costs for **water, sewer, or storm water projects only**, which may include pre-development costs necessary to complete the environmental review process required for all CDBG projects under the National Environmental Policy Act (NEPA). These expenses may include, but are not limited to:

- Engineering or design work needed to obtain approval from state or Federal agencies
- Administrative costs incurred consulting with state and Federal agencies
- Permitting activities needed to complete the Environmental Review Record (ERR) and/or Request for Release of Funds (RROF). This includes addressing State Environmental Quality Review Act (SEQRA) process requirements as applicable

Pre-development costs incurred up to 12 months prior to grant award may be included as part of the project budget. Eligible costs must still meet all CDBG rules and regulations including procurement and civil rights requirements and must be in compliance with 2CFR200.320. Applicants are strongly urged to **contact OCR prior to considering incorporating pre-award costs into the project budget to ensure that those costs are eligible.**

2. PUBLIC FACILITIES

The NYS CDBG Public Facility program activities include, but are not limited to, structures to house or serve special-needs populations; senior services; health-care centers; child care centers; removal of architectural barriers for the disabled (installing lifts, automatic doors, ramps, etc.); sidewalks; and multi-purpose buildings housing several qualifying activities where benefits are provided principally to low- and moderate-income persons. Removal of architectural barriers is not eligible in new construction. Under the Public Facilities category, the benefit to low- and moderate-income persons is achieved most commonly through a presumed benefit, which is applicable for seniors, the severely disabled or abused children. National Objective compliance for Public Facilities can also be met through the Low/Mod Area (LMA) benefit. For more information regarding National Objective Compliance, refer to the Application Guidance located on the OCR website under [Funding Round Materials](#).

NYS CDBG funds can be used for construction or renovation of facilities but cannot be used to cover the day-to-day operational costs of an assisted facility, nor can funds be used for buildings that are primarily for the general conduct of government business (e.g. town halls), with the exception of handicapped accessibility improvements to comply with the Americans with Disabilities Act (ADA). Any Public Facility funded with NYS CDBG funds must be maintained in the same capacity as funded for a period of five (5) years after the project is formally closed out by OCR. OCR reserves the right to monitor the use of such facilities during the five (5) year period to substantiate compliance.

3. PLANNING

The NYS CDBG Planning program may consist of one of two activities: Community Needs Assessments and Preliminary Engineering Reports. Any Planning proposal must address an activity which, if implemented, meets at least one of two national objectives under the CDBG program. That is, it must be shown that either 1) at least 51% of the persons who would benefit from implementation of the plan are low- and moderate- income persons, or 2) the plan addresses a slum or blighted area in the community.

The Community Needs Assessment activity must be used by eligible applicants to identify the assets of a community and determine potential concerns that it faces. The needs assessment analysis may focus on one or more of the following: 1) Public Infrastructure, 2.) Housing, 3) Public Facilities and/or 4) Economic Development. Comprehensive Plans, Strategic Plans, and Master Plans are not eligible for funding under this round of the CFA.

Eligible planning activities for Public Infrastructure include assisting eligible applicants to develop preliminary engineering reports for a municipality's drinking water, clean water and/or storm water needs. The goal of this Infrastructure Planning grant is to help initiate a planning process that will result in follow-up implementation plans to address these identified critical infrastructure needs.

Eligible planning activities for Housing include, but are not limited to, comprehensive Housing Needs Assessments, housing market analyses and other housing demand studies.

Eligible planning activities for Public Facilities include, but are not limited to, energy conservation plans, asset management plans, and building studies.

Market studies and feasibility studies may be eligible planning activities for determining economic development needs if performed on behalf of the grant recipient to determine the market for some type of facility or business. Market studies and feasibility studies performed on behalf of a particular business are **not** eligible Planning activities. For example, studying the need for a new hotel downtown would be eligible for Planning assistance but conducting a study of a specific proposed hotel project would not be eligible for Planning assistance.

If used to develop a Preliminary Engineering Report, the activity must be used by eligible applicants to develop preliminary engineering reports for a municipality's drinking water, clean water and/or storm water needs. The goal of this Infrastructure planning grant is to assist eligible applicants to initiate a planning process that will result in follow-up implementation of plans to address these critical infrastructure needs.

Successful applicants must propose a Community Needs Assessment or Preliminary Engineering Report activity designed to assist the municipality in seeking future funding opportunities from NYS CDBG or other State and Federal agencies that will result in a benefit to low-and moderate-income persons. Requests for assistance that are not designed to assist the municipality in implementing a specific future project may not be considered.

- NYS CDBG can fund up to 95% of the total Planning cost, not to exceed the maximum grant amount.
- NYS CDBG Planning funds may be used as match for other CFA funded Planning activities when other funding agencies permit the use of CDBG funds as match.
- At least 5% of the total project cost must be provided as a cash match through other non-CDBG funding sources. In-kind services, force account and volunteer services cannot be considered as match.

Applicants may determine that an application addressing the needs of a target area is the best approach for addressing the needs of its community. In determining this approach, applicants must define the target area as a recognizable neighborhood, including natural boundaries, such as a railroad tracks, city limits, busy streets, etc. Boundaries should not be gerrymandered for LMI purposes. If streets are proposed, houses on both sides of the street should be surveyed and included in the target area. Target area lines may be drawn down back alleys or property lines to include all needed households.

G. APPLICATION EVALUATION CRITERIA

The review process for the NYS CDBG Program is designed to ensure that the limited NYS CDBG funds available are awarded to communities that meet all of the Federal CDBG requirements, demonstrate a significant need for the proposed activity, demonstrate that the project is financially feasible, and show a significant positive impact to the community.

PUBLIC INFRASTRUCTURE AND FACILITIES FACTOR RATING

Applications within the Public Infrastructure and Facilities funding categories are rated and scored against the factors below. Applications are evaluated and ranked against applications within the same category. Applications with the highest scores are considered the most competitive and have a greater chance of being awarded.

Need	20 Points
Impact	20 Points
Financial Capacity	30 Points
Administrative Capacity	30 Points
	Total = 100 Points (maximum)

Applications within the funding categories will be assessed based on the extent to which they meet the category-specific assessment criteria identified below. The most points may be awarded to projects that have demonstrated exceptional compliance with the assessment criteria identified for each category. An applications project assessment score on an application will be determined by averaging the assessment criteria points.

Public Infrastructure:

Need – 15 Points

The degree to which the Applicant has demonstrated:

- serious public health, welfare or safety conditions, as attested by third party documentation (e.g. consent orders, engineering reports, test results);
- that NYS CDBG funds are necessary to undertake the project and the community is unable to secure sufficient funding or assistance through other methods or resources, including other public funding.

Impact – 15 Points

The degree to which the Applicant has demonstrated:

- that the proposed project is affordable, viable, and sustainable over the long-term, is of appropriate capacity for the demand, and addresses the identified need;
- the impact of NYS CDBG funds on the reduction of the debt burden, connection fees, and annual water/sewer fees on LMI households;
- that the proposed project supports a “Smart Growth” development strategy in accordance with the New York State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010).

Financial Capacity – 25 Points

The degree to which the Applicant has demonstrated:

- that the project cost is financially feasible and includes the cost associated with regulatory compliance;
- that leveraged funds are available and committed at the time the application is submitted, and that there is no gap in funding;
- that the costs of program delivery and administration are reasonable and based on the work to be performed, as detailed in the application;
- a financial and administrative plan for future maintenance and operations.

Administrative Capacity – 25 Points

The degree to which the Applicant has demonstrated:

- a clear understanding of the program requirements and measures to ensure compliance with program requirements, including applicable Federal and State regulations, such as environmental, lead-based paint, labor standards, historic preservation, and procurement;
- that no impediments exist, or the degree to which all potential impediments, such as regulatory compliance, community support, site control (i.e. easements, acquisition etc.), and permits and clearances, have been addressed;
- project readiness and the ability to implement the program upon award;
- the ability to complete the proposed project/program within the 24-month term of the grant agreement.

Public Facilities:

Need – 15 Points

The degree to which the Applicant has demonstrated:

- a need and market for the project and the services to be provided;
- that NYS CDBG funds are necessary to undertake the project and the community is unable to secure sufficient funding or assistance through other methods or resources, including other public resources.

Impact – 15 Points

The degree to which the Applicant has demonstrated that:

- the proposed project has long-term affordability, viability and sustainability, is appropriate in terms of capacity, and addresses the identified need;
- the project design includes components accommodating mobility, visual, and auditory handicaps where relevant.

Financial Capacity –25 Points

The degree to which the Applicant has demonstrated:

- that the project cost is financially feasible and includes the costs associated with regulatory compliance;
- that leveraged funds are available and committed at the time the application is submitted, and that there is no gap in funding;

- that the costs of program delivery and administration are reasonable and based on the actual work to be performed as described in the application;
- a financial and administrative plan for future maintenance and operations.

Administrative Capacity – 25 Points

The degree to which the Applicant has demonstrated:

- a clear understanding of the program requirements and measures to ensure compliance with program requirements, including applicable Federal and State regulations, such as environmental, lead-based paint, labor standards, historic preservation, and procurement;
- that no impediments exist, or the degree to which all potential impediments, such as regulatory compliance, community support, site control (i.e. easements, acquisition etc.), and permits and clearances, have been addressed;
- project readiness and the ability to implement the program upon award;
- the ability to complete the proposed project/program within the 24-month term of the grant agreement.

Prior Performance –

The Applicant's prior CDBG performance is considered at the time of application which may include, but is not limited to:

- the successful completion of prior projects as proposed and per the grant agreement;
- the number of project extensions requested and the reasons for extensions;
- monitoring findings and concerns and the timeframe in which they were resolved;
- status of current grants (expenditure rate, suspension of funds, adherence to program schedules);
- the ability to resolve grant administration issues in a timely manner and to address the issues for all grants and Program Years;
- first time applicants and first-time awardees are not negatively impacted by this.

Smart Growth Legislation (Chapter 433 of the Laws of 2010) –

Please note that the Housing Trust Fund Corporation is subject to the State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010) and must, to the extent applicable, make funding decisions consistent with the provisions of the Act.

PLANNING FACTOR RATING

Applications within the Planning and Engineering funding categories are rated and scored against the factors below. Applications are evaluated and ranked against other Planning applications. Applications with the highest scores are considered the most competitive and have a greater chance of being awarded.

Demonstrated Need	35 Points
Public Benefit/Impact	35 Points
Implementation	15 Points
Leveraged Resources	15 Points
	Total = 100 Points (maximum)

Demonstrated Need – 30 Points

- Demonstration of need for the Plan and for funding assistance.
- Evidence that key stakeholders share the opinion that the subject of the Plan is critical to addressing identified needs and challenges.

Public Benefit/Impact – 30 points

- The proposed process for identifying development challenges and needs.
- The approach to which an Applicant proposes to address community needs criteria (Public Infrastructure, Public Facility and Economic Development).
- Public support and participation.

Implementation – 10 points

- Readiness to proceed upon award.
- NYS CDBG performance history, if any.
- Capacity to complete the Planning process in a timely and effective manner.
- Extent to which the needs identified are potential NYS CDBG eligible activities.
- How well the proposed Planning activity follows or reinforces local or regional plans.

Leveraged Resources – 10 Points

- Creative leveraging and coordination with other CFA activities.
- Reasonableness of activity costs and evidence of match requirement.

SIGNIFICANT STATEWIDE PROGRAMS

Proposed projects that are part of the following initiatives will be looked upon favorably:

Downtown Revitalization Initiative and Strategic Community Investment

Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization and strategic place making through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family. Projects should reflect the general principles of smart growth and sustainable development.

Improving Access to Child Care

Despite record investments in childcare, many New Yorkers still struggle to access high quality childcare. This issue forces families to choose between quality childcare and employment or places families in the position to use unlicensed childcare providers. Applicants should provide any information about their project that works to improve access to childcare.

Environmental Justice

Environmental justice means the fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. As we transition to a greener economy, it is imperative that no subset of the population be marginalized or left behind. Applicants should provide any information about how their project actively works to address these issues.

NYS CFA Submission Information

Applicants seeking assistance for Public Infrastructure, Public Facilities, or Planning Assistance Activities must submit applications through the NYS Consolidated Funding Application (NYS CFA). Directions for applying for assistance for these funds are available on the [CFA website](#). The on-line application system will be available beginning **January 4, 2020 and will close at 4:00 p.m. on March 5, 2021**.

The above-stated application deadline is firm as to date and hour. In the interest of fairness to all competing Applicants, applications received after the specified date and time will be deemed ineligible and will not be considered for funding. Applicants should make early submission of their application(s) to avoid risks of ineligibility resulting from unanticipated delays or other delivery-related problems. Applicants are strongly advised to thoroughly read the application questions and review any guidance provided for a question in the "Application Tips" link next to the corresponding question in the CFA, as well as review the requirements of the NYS CDBG program and observe all of the application requirements. All parts of the application and required forms and attachments must be provided in full for the application to be successfully evaluated. Required information that is not provided in the application will have a negative impact on the evaluation of the application.

H. TECHNICAL ASSISTANCE

Prior to the application deadline, OCR will provide technical assistance regarding the application, proposed projects, and program regulations to Applicants upon request. Potential Applicants with questions regarding the application and/or the NYS CDBG Program should call (518)474-2057 or send an email to HCR_CFA@nyshcr.org for assistance.

I. CORRECTIONS TO DEFICIENT APPLICATIONS

Under no circumstances will unsolicited information from an applicant or its representative regarding the application be accepted after the application deadline has passed. Applicants may be advised of technical deficiencies in applications and may be permitted to correct those deficiencies. A technical deficiency is an error or oversight which, if corrected, would not alter, in a positive or negative fashion, the review and/or rating of the application. Examples of curable technical deficiencies could be the failure to submit an application form or failure to submit an application containing an original signature. Applicants will be notified in writing of any curable technical deficiencies in an application. **Applicants will have 10 business days from the date of OCR's correspondence to reply and correct the deficiency. If the deficiency is not corrected within this timeframe, Applicants are at risk of their application being deemed incomplete.** If necessary, applicants may be requested to submit additional information for clarification of material contained in the application.

[Official Letterhead of Municipality]

Motion By:
Seconded By:

Resolution by the [Governing Body] approving and endorsing [Applicant Organization Name] in its application to NYS Homes and Community Renewal for funding under the [Program Name]

WHEREAS, the [Applicant Organization Name] desires to apply for [\$request amount] in financial assistance through the [YEAR] Consolidated Funding Application (CFA) under the [Program Name]; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on Main Street between First Street and Second Street; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the [Governing Body] of the [Municipality Name] approves and endorses the [YEAR] [Program Name] for assistance prepared and to be submitted by [Applicant Organization Name].

Passed by the following vote of all [Governing Body] Members voting in favor thereof:

Affirmative [Governing Body] Members:

Affirmative: #
Negative: #
Abstain: #

I, [Clerk Name], do hereby certify that resolution [Number] was passed at a meeting of the [Governing Body] held on [Date], and is [incorporated in the original minutes of said meeting OR on file and of record], and that said resolution has not been altered, amended or revoked and is in full force and effect.

Signature of Clerk

[Official Seal of Municipality]

New York Main Street Program Guide

August 2019

Housing Trust Fund Corporation
Office of Community Renewal
<https://hcr.ny.gov>

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I. INTRODUCTION

The New York Main Street program (NYMS) is administered by the Office of Community Renewal (OCR) under the direction of the Housing Trust Fund Corporation (HTFC). HTFC contracts with NYS Homes and Community Renewal (HCR) to administer the Corporation's activities and manage its affairs. Article XXVI of the Private Housing Finance Law defines the objectives and requirements of the New York Main Street program.

NYMS provides funds to stimulate reinvestment in properties located within mixed-use commercial districts located in urban, small town, and rural areas of New York State. NYMS is a comprehensive grant program that provides funding for local revitalization efforts and technical assistance to help communities build the capacity required to grow the downtown or neighborhood retail district.

HCR contracts with eligible not-for-profit organizations and municipalities to act as Local Program Administrators (LPAs). Throughout the administration of a NYMS program, an LPA must be mindful that it is responsible for compliance with all applicable NYMS program requirements. OCR has developed the following Program Guide to outline NYMS program rules and procedures to assist LPAs with the administration of the grant.

This manual is one of the main resources for the successful administration of a NYMS project. OCR staff members are also committed to working with grantees to prevent or correct issues of non-compliance and assist throughout the administration of a NYMS grant.

NYMS program rules and requirements have changed since program inception. This Program Guide serves as a manual for administrators of NYMS grants from several different funding years with different program rules and requirements. Please refer to the rules applicable to the grant funding year by referencing the Funding Round Rules & Requirements Summary table at the end of this Program Guide.

II. PROGRAM DESCRIPTION

A holistic approach to Main Street revitalization that involves aesthetics, business creation/retention, and housing will lead to healthy and economically vibrant communities. A combination of capacity and capital is needed to revitalize Main Streets across the state. The NYMS program is designed to help address these needs.

A coordinated application and administrative approach improve capacity and impact. This practice is favorable and could involve collaboration between counties and local government or municipal - not-for-profit partnerships. For example, counties should work with villages to support and prioritize applications annually.

Successful local NYMS programs involve residents, governments, businesses, and property owners. Coordinated program implementation involves planning for contextually-appropriate design; following a coordinated outreach and communication strategy to publicize activities; implementation of an effective business strategy to recruit appropriate businesses; and measuring and evaluating progress in meeting established goals.

Housing is a key component in any successful main street revitalization. Affordable, marketable housing in upper-floor spaces and on adjacent streets helps to strengthen the social and economic vitality of the business district. Assisted buildings are not required to include both residential and civic or commercial spaces; however, applications should propose a comprehensive approach to strengthen both the commercial and residential sectors by including a mix of residential, commercial, and civic buildings.

The NYMS program provides resources to assist New York communities with Main Street and downtown revitalization efforts. NYMS provides funds to stimulate reinvestment in mixed-use (commercial-civic-residential) “main street” buildings or neighborhoods to:

- Foster small business development, thereby providing economic opportunities and promoting economic activity in traditional downtown or neighborhood business locations;
- Expand affordable housing opportunities in mixed-use districts, including accessible upper floor units;
- Increase the capacity of local government and community-based not-for-profit organizations to undertake community renewal programs at the local level and market the district to prospective businesses and residents;
- Facilitate an effective planning process that ensures that capital investments of public funds will enhance the aesthetics and economics of the commercial district through appropriate design that respects the historic architecture of the target area;
- Preserve significant or historic buildings and provide an environment that attracts new investment to enable the adaptive reuse of these buildings for new Main Street enterprises;
- Address issues of code enforcement, energy efficiency, Americans with Disabilities Act (ADA) compliance, and fair housing to bring vacant commercial space into code compliance, so that it can be utilized by new businesses.

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Planning and Community Development

DATE: Jan 2021

- (a) Purpose of Request: Close CD74 (Countryside Adult Home)

- (b) Details: This grant is complete and has been closed out by the grantor agency

- (c) Previous Resolution Number: 35/2015

- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount: N/A

Sample: A.8021 470 Planning & Community Development – Contract

* as listed in budget and LOGOS



Homes and Community Renewal

ANDREW M. CUOMO
Governor

RUTHANNE VISNAUSKAS
Commissioner/CEO

December 1, 2020

Honorable Frank Thomas
Warren County
1340 State Route 9
Lake George, NY 12845

Dear Chairperson Thomas:

Re: Certificate of Completion
NYS CDBG Project # 1197PF20-14

Congratulations on the successful completion of Warren County's New York State Community Development Block Grant (NYS CDBG). The County has met all contractual obligations, and the Office of Community Renewal (OCR) approves the closeout of your grant.

Pursuant to Section 8 of the Grant Agreement, Warren County shall keep and maintain complete and accurate books, records and other documents for this project for a period of not less than seven (7) years which is in compliance with current State and Federal records retention requirements.

On behalf of Governor Andrew M. Cuomo and NYS Homes and Community Renewal Commissioner/CEO, RuthAnne Visnauskas, I want to congratulate you on the successful completion of your New York State Community Development Block Grant.

We appreciate your efforts to complete this project in a timely and efficient manner, and look forward to your future participation in the NYS CDBG program.

Sincerely,

Charles Phillion
Program Director
Office of Community Renewal

cc: Patricia A. Tatich, Planner, Warren County
Savitry Kola, Community Developer, OCR

NYS CDBG GRANT CLOSEOUT TRANSMITTAL FORM

By signing this Grant Closeout Transmittal Form, Warren County acknowledges that any remaining balance of funds for CDBG Project Number 1197PF20-14 identified on Schedule B Final Budget and Accomplishments will be deobligated and no further disbursements related to this grant will be processed after the submission of these forms.

1. Warren County has completed CDBG Project Number 1197PF20-14 according to the terms and conditions of the Grant Agreement dated December 11, 2014 between Warren County and the Housing Trust Fund Corporation (HTFC).
2. Warren County, for and in consideration of the CDBG funds distributed to it by the Office of Community Renewal (OCR) on behalf of the HTFC, does hereby remise, release and discharge the HTFC, its officers, employees and agents, of and from all liabilities, obligations, claims, and demands whatsoever arising out of the Grant Agreement for CDBG Project Number 1197PF20-14 entered into on December 11, 2014 between the Recipient and the HTFC.
3. It is hereby certified that all activities undertaken by the Recipient with funds provided under the Grant Agreement, to the best of my knowledge, have been carried out in accordance with the Grant Agreement between Warren County CDBG Project Number 1197PF20-14 and the HTFC, and that every statement and amount set forth in this instrument is, to the best of my knowledge, true and correct as of this date.
4. CDBG Program Income shall be accounted for on Program Income Register in accordance with the provisions of the NYS CDBG Regulations pertaining to property management and program income. The Recipient shall continue to comply with NYS CDBG program income reporting requirements.
5. Any property acquired by the Recipient or Subrecipient, in whole or in part with NYS CDBG funds has been identified on Real Property Register.
6. All costs incurred subsequent to the most recent annual audit period will be audited at the time the Recipient's next annual audit is conducted in accordance with OMB Circular A-133. The Recipient will resolve any audit findings related to both the program and financial aspects of the grant. In the event there are any costs which are disallowed by this audit or any subsequent audits which cover NYS CDBG expenditures, and which are sustained by the OCR, the amount of such costs shall be returned to the OCR via the HTFC. If the Recipient is deemed to be subject to Single Audit in accordance with OMB Circular A-133, a Conditional Certificate of Completion will be issued pending the receipt and approval of the Single Audit.

RECEIVED

NOV 03 2014

OFFICE OF COMMUNITY RENEWAL

7. No costs have been incurred after the completion date of **December 10, 2016** for the above contract. All necessary documents and procedures have been followed, thereby finalizing the above referenced contract.

The Recipient further acknowledges that the Final Budget and Accomplishments identified on Schedule B of this closeout transmittal are true and correct.

Chief Elected Official

Frank E. Thomas
Signature of Chief Elected Official

10/29/20
Date

Frank Thomas
Name of Chief Elected Official

Chairman of the Board
Title

Witness

Amy Turcotte
Signature of Witness

10/29/20
Date

Amy Turcotte
Name of Witness

Confidential Secretary
Title

Office of Community Renewal

Savetry Kola
Signature of Developer

November 3, 2020
Date

Savetry Kola
Name of Developer

Community Developer
Title

Approved as to Form:

Warren County Attorney, Ass. Sec'y.