

GIGP 2010 Sample Resolution Language

Applicants with projects selected for funding will need to provide resolutions that:

- Authorize application for GIGP funding
- Authorize execution of a Grant Agreement
- Document and authorize the local funding match requirements
- Declare SEQR findings or determinations

The language provisions below are provided solely as examples that may be inserted into resolutions needed for the GIGP. The language may be conformed to the applicant's format, style, legal requirements, and the particulars of the specific GIGP project. Local counsel should be consulted prior to adopting the resolutions.

Sample SEQR resolution language is provided that may be helpful for the majority of projects that are typically reviewed under GIGP. However, language is not provided for situations involving a positive declaration.

Applicants will need to develop adequate "whereas" or "resolved" statements for the governing body's consideration, giving, for example, the name and identifying information about the project and such other background as the applicant deems necessary to support the particular determination.

These samples were prepared with municipal applicants in mind. Non-municipal applicants are strongly encouraged to use this sample language and to consult with their legal counsel in preparing relevant resolutions. If you have questions, please contact the New York State Environmental Facilities Corporation at 1-800-220-2000 (within NYS) or 518-486-9246.

Authorization for application

NOW, THEREFORE, BE IT:

RESOLVED that the (*municipal/non-municipal designated representative by title*) has been authorized to submit an application for grant funding under the NYS Environmental Facilities Corporation's GIGP 2010 on behalf of the (*municipal/non-municipal entity*).

Authorization for the execution of grant agreement

NOW, THEREFORE, BE IT:

RESOLVED that the (*designated representative by title*) is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation with such changes as agreed to by the (*designated chief fiscal officer*).

Local match documentation for Construction Grants (10% local match)

NOW, THEREFORE, BE IT:

RESOLVED that the (*entity*) authorizes and appropriates a minimum of 10% local match as required by the Green Innovation Grant Program for the GIGP project (*Insert Project's name/description here*). Under the GIGP program, this local match must be at least 10% of the total actual project costs. The maximum local share appropriated subject to any changes agreed to by the (*designated representative by title*) shall not exceed \$(Dollar amount – based upon ___% of total project costs below) based upon a total estimated maximum project cost of \$(*estimated total maximum project cost including any potential increases*). The (*designated representative by title*) may increase this local match through the use of in kind services without further approval from the (*entity*).

Local match documentation for Design Grants (50% local match)

NOW, THEREFORE, BE IT:

RESOLVED that the (*entity*) authorizes and appropriates a minimum of 50% local match as required by the Green Innovation Grant Program for the GIGP project (*Insert Project's name/description here*). Under the GIGP program, this local match must be at least 50% of the total actual project costs. The maximum local share appropriated subject to any changes agreed to by the (*designated representative by title*) shall not exceed \$(Dollar amount – based upon ___% of total project costs below) based upon a total estimated maximum project cost of \$(*estimated total maximum project cost including any potential increases*). The (*designated representative by title*) may increase this local match through the use of in kind services without further approval from the (*entity*).

SEQR Type II Determination

Whereas, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT:

RESOLVED that the (*municipal entity*) hereby determines that the proposed (*name/description of the GIGP project*) is a Type II action in accordance with 6 NYCRR Section 617.5(c)(*cite specific subparagraph or subparagraphs which apply (1) through (37)*) which constitutes the (*provide quotation of the text of the cited subparagraphs (s) above which apply*) and is therefore not subject to review under 6 NYCRR Part 617.

SEQR Type I or Unlisted Action Resolution authorizing filing of Negative Declaration

NOW, THEREFORE, BE IT:

RESOLVED that the (*municipal entity*) hereby determines that the proposed project will not have a significant adverse effect on the environment for the reasons (*set forth in the attached Notice of Determination of Non-Significance or list all reasons and findings*).

RESOLVED that the (*designated municipal representative by title*) is authorized to take all actions reasonable and necessary to file the Negative Declaration and discharge the (*municipal entity*)'s responsibility as lead agency for this action.