



# Legislative Branch

RL Number:
<u>24-71</u>
Date Submitted:
_____

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for possible consideration at City Council Work Sessions. RLs generated by City Departments must be signed by the Mayor, Comptroller, and Corporation Counsel prior to submission. Incomplete/incorrect RLs will be returned to applicant for revisions.

### Applicant Presenting RL at Work Session

Jared M. Kraham	Mayor	607-772-7001
<i>(Print Name)</i>	<i>(Title)</i>	<i>(Phone number)</i>

Signature: \_\_\_\_\_ Date: 04/03/2024

### To Be Completed By Applicant

**Proposed Title:** A RESOLUTION AUTHORIZING THE CITY OF BINGHAMTON TO SUBMIT AN APPLICATION FOR FUNDING FROM EMPIRE STATE DEVELOPMENT CORPORATION RESTORE NEW YORK COMMUNITIES INITIATIVE ROUND 8

**Executive Summary** *(Explain why legislation is necessary):* The Restore NY program requires a municipal resolution to apply for grant funds available through the Restore NY program. Details related to the project are attached.

Effective Date: (if applicable) \_\_\_\_\_

**Budget transfer or amendment:** RL Budget Transfer Worksheet **must** be attached w/ Dep. Head signature.

**RL related to a grant:** RL Grant Worksheet **must** be attached. **Deadline for Council to act by:** 05/08/2024

**RL related to previously adopted legislation:** Perm. number \_\_\_\_\_, adoption date \_\_\_\_\_

**Contract:** Person/Company \_\_\_\_\_ Start/End Date \_\_\_\_\_

Total Cost \_\_\_\_\_ Funds available in Budget Line \_\_\_\_\_ Title \_\_\_\_\_

**Public Hearing required?** Yes  No

**SEQRA required?** Yes  No

**Additional information related to this RL attached?** Yes  No

<b>OFFICE USE ONLY</b>	
Mayor:	
Comptroller:	
Corp. Counsel:	
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>



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## GRANT APPLICATION WORKSHEET

*The Request for Legislation must include the project title and the purpose of the grant.  
Please provide the following additional information.*

Agency providing the grant: Empire State Development

Total project cost: \$20,000,000

Total amount of grant: \$3,000,000

Local match (if any): \$0

If local match is monetary, provide the budget line and title: \_\_\_\_\_

If local match is "in kind", provide the anticipated personnel and hours to be dedicated to the project:

Disbursement of grant (upfront, reimbursable?): Reimbursable

Grant Budget Line: N/A

Grant project manager: Sarah Glose

Anticipated date of project completion: 2026

Special project completion requirements (if any): Per ESD requirements

**Attach any required form of Resolution from the Agency providing the grant.**

Please provide any additional information in the space provided below, including any other government agency or private partner participating in the grant, along with a description of such participation:

The Restore NY Program administered by Empire State Development can only be awarded to  
municipalities. Municipalities then act as a pass through to a developer. This ensures alignment of  
awarded projects with municipal goals while sharing the responsibility of grant management between  
the municipality and the developer.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Empire State  
Development**

### 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 leading municipal official. Please submit this form by Monday March 25th at 5pm. All municipalities are eligible to submit two letters of intent for normal projects. Eligible municipalities can 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.

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

The contact person listed below will receive two emails after submitting this form:

1. A confirmation email, including a link to upload additional properties, if applicable.
2. An email from DocuSign with a link to electronically sign this completed form.

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 via email, please contact ESD at (518) 292-5200.

#### MUNICIPALITY INFORMATION

Municipality Name:	City of Binghamton		
Street Address: (not PO Box)	38 Hawley Street		
Apt/Suite/Office:			
City:	Binghamton	State:	NY
		Zip:	13901
County:	Broome		
Type of Municipality:	<input type="radio"/> County	<input checked="" type="radio"/> City	<input type="radio"/> Town
		<input type="radio"/> Village	

#### PRIMARY CONTACT INFORMATION (Officer with legal authority to represent the municipality)

First Name:	Jared	Last Name:	Kraham
Title:	Mayor	Phone:	(607) 772-7001
Email:	jmkraham@cityofbinghamton.gov		

How many letters of intent are you submitting for REGULAR PROJECTS?	<input type="radio"/> 0	<input type="radio"/> 1	<input checked="" type="radio"/> 2
How many letters of intent are you submitting for SPECIAL PROJECTS?	<input checked="" type="radio"/> 0	<input type="radio"/> 1	

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 square feet of building(s) 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. **Please see below to enter information for the project and included properties that will be the subject of the application. If the project has more than five properties, please fill out the first five. The contact entered above will be prompted via email to submit the remaining properties following submission of this form. You may not submit an application for a project that was not the subject of an approved letter of intent.**



**PROJECT INFORMATION**

Is this a special project?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Name of Project:	1 North Depot Street Renovation	
Estimated Project Cost:	\$ 20000000	Estimated Restore NY Request: \$ 3000000
Development Company:	M. B. Yonaty Development, LLC	
Number of Properties: 1		
Brief Project Description		
<p>M. B. Yonaty Development, LLC will revitalize a currently blighted and vacant historic building located in Binghamton's Railroad Historic District — one of four National Register Historic Districts in the city. The mixed-use project will provide up to 5,000 SF of commercial/retail space and up to 40 apartments. The project site is located in an Opportunity Zone and Restore NY funding will leverage private investment and historic tax credits to assist in the completion of the \$20 million project. The project will advance downtown revitalization and is a strategic community investment in its capacity to attract</p>		

**PROPERTY 1**

Street Address: (not PO Box)	1 N. Depot Street		
Suite/Office:			
City:	Binghamton	State:	NY
		Zip:	13901
Current Zoning:	Mixed Use	Future Zoning:	Mixed Use

**PROPERTY 2**

Street Address: (not PO Box)			
Suite/Office:			
City:		State:	
		Zip:	
Current Zoning:		Future Zoning:	

**PROPERTY 3**

Street Address: (not PO Box)			
Suite/Office:			
City:		State:	
		Zip:	
Current Zoning:		Future Zoning:	

**PROPERTY 4**

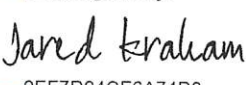
Street Address: (not PO Box)			
Suite/Office:			
City:		State:	
		Zip:	
Current Zoning:		Future Zoning:	

## PROPERTY 5

Street Address: (not PO Box)			
Suite/Office:			
City:	State:	Zip:	
Current Zoning:	Future Zoning:		

Note: If more than 5 properties are included in this project, you will receive an email to enter additional information once this form is submitted.

## SIGNATURES

Name:	Jared Kraham
Signature:	DocuSigned by:  <small>9EF7D94CF6A74D0...</small>
Title:	Mayor
Date:	3/21/2024

By clicking on the "Submit" button you are affirming your legal authority to represent the municipality referenced in this application seeking funding. If your municipality is awarded any such funds through this process, you agree to the terms and conditions outlined in this application and its guidelines for acceptance and use of these funds.

## 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 **March 25th, 2024** (see Section 1). All municipalities are eligible to submit two letters of intent for normal projects and one additional letter of intent for a special project, if eligible. **Applications from municipalities that do not submit an Intent to Apply form will not be accepted.**

Following receipt of the Intent to Apply Form, the contact entered on that form will receive an email from ESD with an eligibility determination. The applicant will then need to proceed to the Restore NY website to access the link to the CFA application as well as the Property Data Sheet.

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

**CONSOLIDATED FUNDING APPLICATION**

HELP PRINT PAGE REGIONAL ECONOMIC DEVELOPMENT COUNCILS CFA PROJECT INFO

**WELCOME**

As part of New York's efforts to improve the business climate and expand economic growth, the NYS Consolidated Funding Application (CFA) was created to support the Regional Economic Development Council (REDC) Initiative. The CFA has streamlined and expedited the grant application process marking a fundamental shift in the way state resources are allocated, ensuring less bureaucracy and greater efficiency to fulfill local needs. The CFA allows applicants to access multiple state funding sources through one application, making the process quicker, easier, and more productive.

As statewide programs and local needs have evolved, so has the CFA which is now host to a multitude of programs and initiatives. These programs change throughout the year so be sure to check back periodically to see what programs are available.

To proceed with your CFA, please use the **Log In** or **Register** buttons.

**\*New - Cloning an Application\***

To save time you can now clone an application from the previous year.  
[Click here to learn how.](#)

Log In

Register

The Restore NY Application must be certified by the leading municipal 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 Data Sheet for each property
- 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
- 3<sup>rd</sup> Party Project Cost Estimates
- 5 (five) years of Operating Pro Forma
- 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. Where the proposed project is located in a municipality that has no publication that can reasonably be considered a "local daily newspaper," and a weekly publication is in print form only, ESD will accept publication of the Property Assessment List in the weekly publication for three consecutive weeks. 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. **Please note: The Property Assessment List is no longer a separate document and is now in the Consolidated Funding Application (CFA).** Publications must include all information captured in the Property Assessment List, but this information does not need to be in chart form.

**\*\*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 a rural or 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, eligible municipalities may also compete for one of a very limited number of special project awards to be made statewide. **Special projects with funding requests under the normal project funding cap will not be considered.**

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

**The legislative body of the local municipality that maintains land use control over the proposed project site 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.**

## Sample Language for Required Documents

\*This language is for reference and is in no way required for documentation. Please feel free to use as much or as little of this as you like\*

### **Property Assessment List Public Posting:**

Must be published for three consecutive days and must include the information from the Property Assessment list. This does NOT need to be in chart form. You may write the information out, much like below.

*The [MUNICIPALITY] intends to seek grant funding under the Restore NY Communities Initiative to facilitate revitalizing urban and rural areas, disadvantaged communities, and stabilizing neighborhoods. Pursuant to the requirement of the grant application, a description of the location, size, and nature of each property, whether the property is proposed to be demolished, deconstructed, rehabilitated, or reconstructed, and the status of the property is as follows: [PROPERTY ASSESSMENT LIST INFO – ex. “101 Main St, 70,000 square feet, vacant commercial property, proposed for demolition”] (Repeat for each property included in the application)*

### **Public Hearing Public Posting:**

Must be published for one day and include all relevant information on where/when/how to access the meeting. It must also state that the meeting will discuss the Restore NY application.

*The Common Council of [MUNICIPALITY] has scheduled a public hearing for [DATE] at [TIME] in [LOCATION]. The purpose of the hearing is to obtain citizens’ views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative. This project includes [PROJECT DESCRIPTION, ETC.]*

### **Public Hearing + Property Assessment List Combo Public Posting:**

You MAY do the public hearing and property assessment public posting in ONE posting. It would then need to run for three consecutive days. If combined, it would look something like the below.

*The Common Council of [MUNICIPALITY] has scheduled a public hearing for [DATE] at [TIME] in [LOCATION]. The purpose of the hearing is to obtain citizens’ views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative. This project includes [PROJECT DESCRIPTION, ETC.]. The following properties will be submitted for consideration: [PROPERTY ASSESSMENT LIST INFO – ex. “101 Main St, 70,000 square feet, vacant commercial property, proposed for demolition”] (Repeat for each property included in the application)*





**Municipal Resolution:**

Please keep in mind this does NOT NEED TO BE THE EXACT WORDING. This is for reference ONLY.  
Please complete the municipal resolution however your municipality would normally go about this.

“  
*WHEREAS the [MUNICIPALITY] is eligible for grant funding under Round [#] of the Restore NY Communities Initiative Municipal Grant Program, and*

*WHEREAS the City Council has considered proposals that qualify for funding under the program and selected one project to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:*

*Redevelopment of [PROPERTY], [PROPERTY ADDRESS]. The project will [ACTIVITY - ex. “renovate a vacant and abandoned 50,000 square foot property into a mixed-use building containing three shops for commercial use on the first floor, and 12 market rate apartments on the upper floors”].*

*WHEREAS this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate 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 in [MUNICIPALITY].*

*NOW THEREFORE BE IT RESOLVED that the City Council hereby supports and will sponsor an application for Restore NY funding for [PROPERTY], [PROPERTY ADDRESS] and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and*

*BE IT FURTHER RESOLVED that the City Manager is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application*

**Suggested Language (Notice of Public Hearing/Property Assessment List)**

The City of Binghamton has scheduled a public hearing for [DATE] at [TIME] in [LOCATION]. The purpose of the hearing is to obtain citizens' views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative. This project includes the rehabilitation of the historic property into a mixed-use facility including commercial/retail space and up to 40 apartments. The following properties will be submitted for consideration: 1 N Depot St. 13901 (parcel ID 160.25-2-20.2), 40,980 square feet, vacant mixed-use property, proposed for rehabilitation.

**Suggested Language (Public Hearing):**

AUTHORIZATION TO SET A PUBLIC HEARING IN CONNECTION WITH AN APPLICATION FOR RESTORE NY GRANT FUNDING

WHEREAS, this Council is advised of the proposed submission of a Restore NY program application for up to \$3 Million to support the 1 N. Depot Street project; and

WHEREAS, these Restore NY grant funds will support the historic property's rehabilitation into a mixed-use facility with commercial/retail space and up to 40 apartments; and

WHEREAS, it is necessary that a public hearing be held to hear public comment in regards to this application and the Property Assessment List; now, therefore, be it

RESOLVED, that the Mayor is authorized to execute all documents and certifications required as part of the submission of the application; and, be it further

RESOLVED, a Public Hearing will be held by the City Council on **<DATE> at <TIME> in <LOCATION>** for the purpose of hearing public comment on the aforesaid application for grant funding.

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**Suggested Language (Municipal Authorization Resolution):**

**AUTHORIZATION TO SUBMIT AN APPLICATION FOR FUNDING FROM EMPIRE STATE  
DEVELOPMENT CORPORATION RESTORE NEW YORK COMMUNITIES INITIATIVE ROUND 8**

WHEREAS, the Restore New York Communities Initiative provides municipalities with financial assistance for revitalization of commercial and residential properties. The program encourages community development and neighborhood growth through the elimination and redevelopment of blighted structures; and

WHEREAS, the City of Binghamton is eligible to apply for such funding in Round 8 in an amount not to exceed \$3,000,000; and

WHEREAS, the City Council has determined that such funding should be used to assist in the proposed 1 N. Depot Street project. The proposed rehabilitation of the historic property into a mixed-use facility including commercial/retail space and up to 40 apartments is consistent with the City's goals and plans, the financing proposed for the project is appropriate, and 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;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign and submit the Restore New York Round 8 application for consideration; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign all agreements, certifications and other documents required to complete the application and to accept grants and administer the programs that are proposed for this funding.

Dated:



FWAC Project Sites/Description

Address	City	State	Zip	Tax Map	Project	Type	Current Zoning	Future Zoning
242 Front Street	Binghamton	NY	13905	144.80-3-16	Rehab	Apartment	Residential	Residential
251 Front Street	Binghamton	NY	13905	144.80-2-30	Reconstruction	Apartment	Residential	Residential
274 Front Street	Binghamton	NY	13905	144.80-3-5	Rehab	Apartment	Mixed-use	Mixed-use
276 Front Street	Binghamton	NY	13905	144.80-3-4	Rehab	Apartment	Mixed-use	Mixed-use
241 Front Street	Binghamton	NY	13905	144.80-2-35	Rehab	Apartment	Residential	Residential
20 Winding Way	Binghamton	NY	13905	144.80-2-40	Rehab	Single-family	Residential	Residential
27 Dickinson Street	Binghamton	NY	13905	160.24-1-46	Rehab	Apartment	Residential	Residential
10 Mather Street	Binghamton	NY	13905	160.31-1-43	Rehab	Apartment	Residential	Residential
41 Clinton Street	Binghamton	NY	13905	160.23-2-31	Reconstruction	Apartment	Residential	Residential
							Commercial	Mixed Use

First Ward Action Council will rehab/reconstruct 9 properties in the City of Binghamton to create up to 37 housing units. These properties include current single family/two-family homes which are vacant and current vacant lots. In line with the goals of the Restore NY Program, First Ward Action Council aims to turn these unused spaces into affordable housing units. This investment in housing will further invigorate the community and attract more people to the neighborhood. 41 Clinton Street will also include 3,000 sf of commercial space on the ground floor.



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