

Village of Owego
Downtown Revitalization Initiative

Tioga County
Industrial Development Agency

Multi-Site Program Fund
Policies and Guidelines
Application

**Deadline to apply:
Friday, March 10, 2023, at 4:00 PM**

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Contents

I. PURPOSE	3
II. ELIGIBLE APPLICANTS	3
III. ELIGIBLE PROJECTS	3
III. FUNDING	4
IV. ELIGIBLE EXPENSES	4
V. MATCH/LEVERAGE OF FUNDS	4
VI. ENVIRONMENTAL COMPLIANCE	5
VII. MWBE REQUIREMENTS	5
VIII. COMPLIANCE WITH OTHER APPLICABLE LOCAL, STATE AND FEDERAL REVIEWS AND APPROVALS.....	6
Historic Review	6
Building and Land Use Code Requirements.....	6
IX. OTHER REQUIREMENTS	6
Property Insurance and Flood Insurance.....	6
Property Release Form	8
Maintenance Declaration	8
X. APPLICATION REQUIREMENTS	8
XI. RATING CRITERIA AND PRIORITY PROJECTS	9
XII. GRANT APPLICATION INSTRUCTIONS AND REVIEW PROCESS	10

I. PURPOSE

The purpose of the 2023 New York State Downtown Revitalization Initiative (DRI) Village of Owego (VOO) – Tioga County Industrial Development Agency (TCIDA) **Multi-Site Program Fund** is to reallocate funds relinquished by other DRI Multi-site projects, to shovel ready project(s) located within the Village of Owego DRI boundary that either:

- a. Support the development and expansion of the Village of Owego’s diverse business community through proposed building and site improvements, or
- b. Improve key facades as cornerstones of revitalization in the Village of Owego’s downtown.

Collectively, the proposed improvements throughout the DRI area will transform the Village by facilitating the expansion of existing small businesses, and upgrading the built environment, ultimately improving the aesthetics of the Village for residents, business owners and visitors.

II. ELIGIBLE APPLICANTS

Eligible applicants include individual property owners, for-profit entities and not-for-profit entities located in the V. Owego DRI Boundary Area (see last page for boundary map). Projects with existing DRI awards must demonstrate the need for the additional program funds or propose an expansion to the scope of the existing project. Only the principal structure of the property is eligible for renovation projects. Municipally owned buildings and/or properties are not eligible for this program.

III. ELIGIBLE PROJECTS

The New York State Housing Trust Fund Corporation (HTFC) has contracted with the TCIDA to act as the Local Program Administrator (LPA) for the 2023 New York State Downtown Revitalization Initiative (DRI) Village of Owego (VOO) – Tioga County Industrial Development Agency (TCIDA) Multi-Site Program Fund. The TCIDA will act as the administrator of the awarded grant funds, and will work directly with the individual property owners (“Grantee”) in order to oversee the implementation of each project.

All projects are subject to Village of Owego, Owego Central Historic District Design Guidelines and any other applicable local, State or Federal monitoring agency.

Eligible projects include:

1. New Construction

Grants must be utilized for the new construction of:

- Commercial, residential or mixed-use development principal structures
- Commercial, residential or mixed-use development additions
- Other areas, with approval (may include specific projects not listed here).

2. Exterior Renovations

Grants must be utilized for any (or a combination) of the following exterior improvements, building rehabilitations or restorations.

- Architectural Details
- Windows and Doors
- Building Address Numbers
- Building Exteriors and Surfaces

- Signs and Awnings
- Other areas, with approval (may include specific projects not listed here).

All of the above exterior renovations must follow the Village of Owego, Owego Central Historic District Design Guidelines to ensure compatibility with the existing downtown, helping to create a uniform and coordinated streetscape which is attractive and functional. The exterior renovations can include the full building façade.

3. Interior Building Renovations

Grants must be utilized for any (or combination) of the following building rehabilitation or restorations:

- Interior rehabilitation
- Electrical
- Plumbing
- Heating
- Weatherization
- Flooring
- Cosmetic
- Other areas, with approval (may include specific projects not listed here).

III. FUNDING

The TCIDA has \$650,000 in funds to reallocate to new or existing DRI Multi-site program projects. Only minimum grant requests of \$100,000 or more will be considered. Maximum grant requests up to \$250,000 will be considered.

The TCIDA Multi-site Program Fund is a reimbursable grant program. Funds in advance of completion of projects **shall not be provided**. Grantee must provide proof of match and ability to finance the entire total project cost until the project is completed, and reimbursement can occur.

To receive funds, each Grantee must complete all the work in the approved project scope, pay all contractors in full, and submit receipts and proof of payment along with any other required attachments and documentation to TCIDA. Please see the attached Project Checklist.

TCIDA must be notified of and approve any changes to the project. This can include, but is not limited to the scope of work, total project cost, project budget and funding sources, contractor, property owner, etc. Failure to notify TCIDA of any changes may result in a project being deemed ineligible for reimbursement.

IV. ELIGIBLE EXPENSES

The TCIDA shall only reimburse those costs deemed reasonable and appropriate to complete the proposed project.

Personal labor of applicants, in-kind services and cash payments are not eligible project costs.

V. MATCH/LEVERAGE OF FUNDS

Investments of DRI funds in eligible building activities must be matched by other funds.

The required match can include a mix of private funds from the property owner, lender financing and/or other pre-approved public funding sources. Property owners may be required to provide more, but at a minimum must provide a 50% match of the approved total project cost.

VI. ENVIRONMENTAL COMPLIANCE

Awards made under the Office of Community Renewal's (OCR) state funded grant programs are subject to requirements of the State Environmental Quality Review Act (SEQRA) at 6 NYCRR Part 617. Compliance applies to all participants in the development process, including public or private nonprofit or for-profit entities, or any of the participating contractors.

The primary objective of the environmental review process is to identify specific environmental factors that may be encountered at individual project sites, and to develop procedures to ensure compliance with regulations pertaining to these factors.

In cases where individual project sites/buildings have been identified at the time of application and contract execution, the environmental review process will evaluate site-specific Environmental Compliance Checklist(s). The Environmental Compliance Checklist must be completed and submitted for each individual site.

When the review is complete, the Local Program Administrator (LPA) will receive a determination letter from the Housing Trust Fund Corporation's (HTFC) Environmental Analysis Unit (EAU) specific to the identified projects.

Grant activities cannot begin until an environmental determination letter is received.

Please note: Individual site-specific checklists must be submitted to the OCR prior to beginning project activities. Checklists will require additional supporting documentation and review in circumstances such as:

- Environmental testing – Asbestos, lead-paint and radon testing and remediation, as applicable
- Each site must be evaluated by an environmental professional to determine if the site is located on or near any hazardous materials or contamination. An environmental professional must provide a certification letter along with backup documentation (desktop review, transaction screen, Phase I ESA, etc.).
- substantial improvement in a flood zone
- projects in, or adjacent to, Agricultural Districts
- work on a building determined by SHPO to have historic or cultural significance
- ground disturbance, new construction, or tree cutting
- zoning changes
- a change in actual building use (whether or not this change is locally regulated)
- acquisition, new construction of, or expansion or reconstruction of infrastructure
- if the work constitutes a SEQR Unlisted action

Projects in the categories described above may require either the municipality to conduct a SEQR coordinated review or a review and determination of significance by the HTFC Board.

VII. MWBE REQUIREMENTS

The grantor and grantee are required to comply with Articles 15-A and 17-B of the New York State Executive Law. These requirements include equal employment opportunities for minority group

members and women (“EEO”), and contracting opportunities for certified minority and women-owned business enterprises (“MWBES”) and Service-Disabled Veteran-Owned Businesses (“SDVOBs”). Recipient’s demonstration of “good faith efforts” pursuant to 5 NYCRR §142.8 shall be a part of these requirements. Please visit NYS Empire State Development’s Division of Minority & Women Business Development website for a directory of certified Minority and Women-Owned Businesses: <http://www.esd.ny.gov/MWBE.html>.

The HTFC has established an overall Minority-Owned Business Enterprises (“MBE”)/Women-Owned Business Enterprises (“WBE”) participation goal of 30% related to the total value of NYS HTFC funding. Each project must comply with the aforementioned participation goal. Failure to do so may result in a loss of DRI funding.

Contractors must submit a Local M/WBE Utilization Plan, as well as Bid Solicitation Log in conjunction with individual project bids to the TCIDA prior to the start of construction. Prior to reimbursement occurring, contractors will also need to submit a M/WBE Contractor Compliance and Payment Report, and attach supporting documentation (M/WBE executed contracts, final lien waivers, cancelled checks, etc., or other documentation) describing the “Good Faith Efforts” taken to achieve M/WBE program.

VIII. COMPLIANCE WITH OTHER APPLICABLE LOCAL, STATE AND FEDERAL REVIEWS AND APPROVALS

Historic Review

All interior and exterior renovations shall require prior approval of the proposed scope of work by the New York State Historic Preservation Office (SHPO). Building Renovation projects are reviewed on a case-by-case basis.

All exterior renovations located in the Owego Central Historic District, are subject to the Village of Owego, Owego Historic Preservation Commission Historic Design Guidelines (https://www.villageofowego.com/sites/owegony/files/pages/ohpc_design_guidelines_dec_16_2019.pdf) and any other applicable local, State or Federal monitoring Agency.

Building and Land Use Code Requirements

All projects will need to comply with the Village of Owego Zoning Code, Uniform Fire Prevention and Building Code, the American with Disabilities Act, and land use regulations, as applicable.

The Village of Owego Department of Public Works (DPW)/Code Enforcement Office will work with the Grantor and Grantee to develop a Scope of Work, and to determine if Architectural stamped drawings will be required.

IX. OTHER REQUIREMENTS

Property Insurance and Flood Insurance

Grantee shall maintain in full force and effect insurance, including, but not limited to, the insurance described hereafter, in such amounts and covering such risks as Grantor may require from time to time.

- (a) The Grantee shall keep the buildings at the Project Location and the building equipment insured against: (i) loss by fire, (ii) additional perils customarily covered under an all-risk policy

- and (iii) flood hazard, if the Project Location is located in an area identified by the Secretary of Housing and Urban Development as an area having special flood hazards and in which flood insurance has been made available under the National Flood Insurance Act of 1968, as amended. The insurance required in this paragraph (a) shall provide coverage for an amount not less than the full replacement value of the buildings at the Project Location and the building equipment, or such other amount as the Grantor may reasonably require, provided that (i) the amount of insurance coverage shall be in an amount sufficient to satisfy, at all times, any co-insurance requirements, and (ii) the amount of any flood hazard insurance shall not exceed the maximum amount of coverage available under the National Flood Insurance Act.
- (b) The Grantee shall maintain Commercial General Liability Insurance providing both bodily injury (including death) and property damage insurance in a limit not less than One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) aggregate and Three Million Dollars (\$3,000,000) umbrella. In addition, if the grant contemplates the purchase, construction or renovation of any buildings or equipment, the Recipient shall keep the buildings at the Project Location and the building equipment insured against: (i) loss by fire, (ii) additional perils customarily covered under an all-risk policy and (iii) flood hazard, if the Project Location is located in an area identified by the Secretary of Housing and Urban Development as an area having special flood hazards and in which flood insurance has been made available under the National Flood Insurance Act of 1968, as amended.
 - (c) All insurance required in this Section shall be issued by companies authorized to do business in the State of New York, satisfactory to Grantor pursuant to policies satisfactory to Grantor in form and substance. Without limiting the generality of the foregoing, the policies of insurance required hereby shall provide for thirty (30) days, or ten (10) days for non-payment, prior written notice of cancellation to Grantor.
 - (d) The Grantee shall give prompt written notice to the Grantor in the event of substantial damage to the Project Location by reason of fire or other hazard or casualty.
 - (e) Notwithstanding the provisions of Subdivision 4 of Section 254 of the Real Property Law, the Grantor shall be entitled to retain and apply the proceeds of any insurance required hereby to the payment of any obligations or, in the sole discretion of the Grantor, apply any or all such proceeds to the cost of restoration of the Project Location, in which case the Grantee shall proceed with reasonable diligence to repair, replace or rebuild the Project Location to substantially their condition prior to such damage in full compliance with all legal requirements.
 - (f) The Grantee shall provide the Grantor with copies of all policies of insurance (or certificates thereof) for the required insurance coverages in form and substance satisfactory to the Grantor. In addition, the Grantee shall provide the Grantor with copies of renewal policies (or certificates thereof) or temporary binders in the event renewal policies have not been issued, in a timely manner. The Grantee must, in any event, provide Grantor with satisfactory confirmation of renewal coverage by the renewal date.
 - (g) In the event that the Grantee fails to maintain the insurance required hereby, the Grantor may obtain such insurance and pay the premiums therefor and the Grantee shall, on demand,

reimburse the Grantor for any insurance premiums paid, together with interest thereon computed at the highest rate per annum allowable under New York State law.

- (h) The Grantee will not take any action, or permit any condition to exist, with respect to the Project Location which may, in any manner, partially or wholly invalidate the insurance on the Project Location required hereby.

Property Release Form

Property owner must agree to allow publishing of photographs of assisted property for promotional or public relation purposes by the witnessing and executing of the Property Release Form.

Maintenance Declaration

The Owner of a property improved under the Program (“Assisted Property”) will be required to execute a Declaration, which shall be filed in the County Clerk’s Office for the county in which the Assisted Property is located. The Owner agrees to maintain the Assisted Property in compliance with the terms of this Grant Agreement, throughout the Regulatory Period. The Owner shall further declare that in the event of any non-compliance or sale of the property, the amount of grant funds distributed shall be subject to repayment, the amount of which shall be calculated and determined in accordance with an annual declining balance method based upon the five (5) year enforcement period, as shown on the Declaration. The Owner further acknowledges and agrees that the LPA shall have the right, pursuant to its agreement with the HTFC, to inspect the Assisted Property to monitor the Owner’s compliance with this requirement. All the grants, covenants, terms, provisions and conditions contained in the Maintenance Declaration shall run with the land, binding all subsequent owners, encumbrances and tenants of the Premises.

If the property is sold, funds will have to be repaid unless the new owner executes and files a new Maintenance Declaration Form for the remaining maintenance terms.

Signage Requirements

Improvements that are a direct result of the DRI process should credit the use of State funds received through the Downtown Revitalization Initiative. Work plans for projects that improve the physical environment, such as new building, parks, marinas, and streetscape improvements, will require the contractor or its construction subcontractor(s) to install a sign satisfactory to the agency managing the contract and identifying the State's funding of the project, pursuant to the HTFC signage requirements found here;

[Downtown Revitalization Initiative \(DRI\) Forms | Homes and Community Renewal \(ny.gov\)](#)

Property owners and contractors will need to consult with, and have the proposed signs approved by the TCIDA and HTFC before the sign can be ordered and installed.

Once all requirements are met and accepted, the applicant shall be given notice from the TCIDA as to whether or not their project can move forward. **PROJECTS UNDERTAKEN PRIOR TO RECEIVING WRITTEN APPROVAL FROM THE TCIDA TO MOVE FORWARD SHALL NOT BE ELIGIBLE FOR FUNDING.**

X. APPLICATION REQUIREMENTS

- i. Property owner must be applicant.

- ii. Property owner must be current on all municipal obligations, including real property taxes, school taxes, special assessments and water/sewer payments.
- iii. Property owner must supply proof of matching project cost.
- iv. Property owner must supply description of current and proposed use by floor.
- v. Property owner must supply proof of property insurance.
- vi. Property owner supply proof of flood insurance if required (confirm with Village of Owego Code Enforcement Officer).
- vii. Any assisted dwelling units and their related common areas where children are permitted or likely to reside must be free from hazards posed by lead-based paint. Therefore, the disturbance of lead-based paint surfaces that exceed “de minimus” levels must be conducted in accordance with “DRI Lead Based Paint Policy following the EPA Renovation, Repair & Painting (see attached).
- viii. Any project that involves Asbestos Containing Materials (ACM) that will be disturbed as part of program activities must be handled and disposed of according to NYS Department of Labor requirements at 12 NYCRR Part 56 and local regulations plus a Radon Test (if rehabilitation of residential units or common area will occur) must be completed and found to be within required limits.
- ix. Property owner must agree to a 5 year monitoring Regulatory Period (from date of disbursement of TCIDA Multi-site Program funds) for building renovation projects and maintain the structures and facades in good condition.
- x. The **Downtown Revitalization Initiative Program Property Maintenance Declaration Form** stating these requirements must be executed, notarized and filed in the Tioga County Clerk’s Office for a period of five years.
- xi. Property owner must agree to permit the New York State Housing Trust Fund Corporation to publish photographs of assisted property for promotional or public relation purposes. The **New York State Property Release Form** must be executed and witnessed.

XI. RATING CRITERIA AND PRIORITY PROJECTS

TCIDA reserves the right to approve or disapprove each application and ALL IMPROVEMENTS SHALL CONFORM WITH EXISTING LOCAL AND STATE BUILDING AND LAND USE CODES.

The following criteria will be used to rate applications:

- Will the project prevent dangers to health and safety and address code violations? 0-15
- Will the project create or expand a business? 0-15
- Aesthetic impact of the renovation on character of targeted area. 0-15
- Will the project increase the number and/or improve condition of residential units? 0-20
- Degree improvement capitalizes on building’s/neighborhoods architectural assets and historical integrity. 0-20
- Other building improvements beyond those funded by DRI and ability to secure alternate funding and demonstrate project “shovel readiness”: 0-15

Priority consideration will be given to the following projects:

- Buildings where an immediate demolition, renovation or new construction will help alleviate or prevent dangers to the health and safety of the community and will stop serious deterioration of the building’s façade.

- Historic properties in danger of being lost, in part or in total, to disrepair or damage. This may include properties listed on the State and/or National Register of Historic Places, or properties with historical, architectural, or cultural significance.
- Buildings where historic or architecturally significant features contributing to the building's character are in danger of being lost due to disrepair.
- Properties where demolition/new construction or exterior renovation would reduce blight and the perception of downtown decay or contribute to the economic recovery of the target area.
- Properties that include a residential component.

XII. GRANT APPLICATION INSTRUCTIONS AND REVIEW PROCESS

All documentation must be submitted to TCIDA located in the Ronald E. Dougherty County Office Building at 56 Main Street, Owego. Please use the attached Project Checklist to be certain that you have included all elements.

The following guidelines will help TCED&P to process your application and, if approved, award project reimbursement.

1. Pre-Application Meeting

A pre-application meeting is required prior to submitting an application for consideration to verify that your project site is located within the eligible target area, and that the project itself is eligible. Please contact Megan Schnabl at 607-687-8263 or Schnablm@tiogacountyny.gov to setup a meeting. Application packets will be provided at this time.

2. Application

TCIDA Multi-site Program Fund Application along with the following documentation and attachments will need to be submitted to TCIDA to initiate the project review process. **Property owner must be current on all municipal obligations including real property taxes, school taxes, special assessments, and water and sewer payments**

- Application
 - Proof of property ownership/Deed
 - Proof all real property and school taxes are paid current
 - Proof water and sewer bills are paid current
 - Copies of leases for commercial and residential tenants
 - Include pertinent interior and exterior "before" photographs of the property/building
- Letter of Agreement
- Scope of Work
- A minimum of 1 estimate for proposed scope of work
- Property Release Form
- Proof of match and ability to finance entire project until completed and reimbursed for approved grant (cash and/or financing) for project cost (ex. bank statement, bridge loan, construction financing, permanent financing)
- Please note that any/all building permit and legal/recording fees are the responsibility of the property owner

3. Project Selection

The aforementioned application and documentation will be submitted to and reviewed by the TCIDA Multi-site Program Fund Application Review Committee. The Application Review Committee will score, rank and recommend approval of grant funds to projects based on the rating criteria and priorities outlined above.

TCIDA will contact all applicants to notify them whether or not their project has been selected for funding.

4. Pre-Construction

TCIDA will meet with the property owners of all projects selected for funding to discuss the next steps that are outlined below. Prior to the start of Construction, the following items will need to be submitted, reviewed and approved by the TCIDA.

- Executed Sub-Recipient Grant Agreement
- Receipt of finalized Scope of Work and as required, architectural stamped drawings, design sketches, or site plans.
 - The applicant must arrange to meet with TCIDA and DPW/Village of Owego Code Enforcement Officer to discuss the details of the project, applicant's match commitment, development of a scope of work, estimates of costs to prepare architectural renderings as needed, and including lead-based paint, radon and asbestos testing and removal as needed.
 - The priorities for the project's scope of work will include:
 1. Immediate health and safety concerns.
 2. The correction of code violations.
 3. Addressing any lead-based paint hazards and any disturbed Asbestos Containing Materials (ACM)
 4. Installation of energy conservation measures.
 5. Consistency with any other local program design guidelines
 6. Preservation of historical elements of the buildings.
 - The scope of work must be signed off on by TCIDA, Village of Owego DPW/Code Enforcement and the property owner.
- Documentation that all local state and federal reviews and approvals have been completed
 - NY State Historic Preservation Office – Letter of No Adverse Impact
 - Owego Historic Preservation Commission – Certificate of Appropriateness
 - Environmental Compliance Checklist
- Environmental testing as applicable (lead, asbestos, radon, etc.)
- A minimum of two (2) third party project estimates will be obtained by the TCIDA
 - Qualified contractors must have required insurance and perform work in compliance with all applicable standards.
 - Contractor chosen must supply references and proof of proper insurance to the TCIDA for consideration.
 - Contractor chosen must submit Non-Collusive Certification
 - Contractor chosen must submit a local utilization plan (Exhibit A-1) demonstrating participation of NYS Certified M/WBE contractors and sub-contractors (30% M/WBE of total grant amount) in the project, as well as a Bid Solicitation Log (Exhibit A-2) describing the "Good Faith Efforts" taken to achieve M/WBE program.

- Signed construction contract(s)
- Proof of match and ability to finance entire project, as well as a draw schedule (if applicable)
- Property owner must supply proof of property insurance and flood insurance (if applicable)
- Building Permit and Floodplain Permit (if applicable). Any/all building permit and legal/recording fees are the responsibility of the property owner.

TCIDA, the property owner and the Village of Owego DPW/Code Enforcement Office will review applications and attachments for acceptability, and to insure consistency with DRI program guidelines. Once the review has concluded, and a determination is made that the proposed project meets the program guidelines, a letter allowing the project to move forward will be sent.

5. Construction

Once construction begins on the project, a sixty (60) day deadline is placed on completion. Written extension requests may be considered. Any changes to the project must be reviewed and approved by the TCIDA or the applicant risks losing grant monies.

Village of Owego Code Enforcement Officer and TCIDA will perform a final site visit and review the completed project for completeness and quality of work. Inspection reports, including Final Inspection Report must be completed and received by the TCIDA. If applicable, grantee will also need to submit a Certificate of Occupancy.

6. Reimbursement

Prior to reimbursement the following items will also need to be submitted, reviewed and approved by the TCIDA.

- M/WBE Contractor Compliance and Payment Report (Exhibit A-3) and attach supporting documentation (M/WBE executed contracts, final lien waivers, cancelled checks, etc., or other documentation) describing the “Good Faith Efforts” taken to achieve M/WBE program.
- Proof that all contractors have been paid in full (Exhibit B) and documentation of total project cost and grantee match must be submitted to TCIDA (Exhibit C). This should be in the form of an invoice or receipt, which includes the final cost of the project, the work that was done or products purchased, and signed by the contractor or vendor acknowledging that the project was paid for in full. Photographs of the completed project must be submitted as well. Acceptable proof of payment includes copies of both sides of a cancelled check(s) or copy of money order in addition to an invoice showing final payment.

PLEASE NOTE:

CASH PAYMENTS ARE NOT AN ACCEPTABLE FORM OF PAYMENT AND CANNOT BE REIMBURSED.

- Pertinent interior and exterior “after” photographs of the property/building
- Executed Maintenance Declaration Form and filing receipt

Once all required supporting materials are received and reviewed, the appropriate disbursement process will begin and reimbursement made to the applicant.

