

**Baldwin / Town of Hempstead
Term Sheet
Restore NY - Round V**

This Term Sheet summarizes the basic terms upon which the Town of Hempstead has been awarded funds by Empire State Development (ESD) under the Restore NY Communities Initiative – Round IV. This Term Sheet is intended for discussion and negotiation purposes only and does not constitute a sub-grant to any property owner and does not create any binding obligations on the Town of Hempstead with respect to approval of a grant/sub-grant or engaging in any further discussions or negotiations with respect to a grant/sub-grant.

Total Grant Amount for Restore NY Round IV: \$1,000,000

Eligible Properties for Restore NY Round IV:

- 2418, 2420, 2424, 2426-2428, 2430, 2432, 2434-2436, 2438-2440 Grand Avenue
- 773, 785, 795 Merrick Road
- 107 Merrick Avenue

SBLs: Bock 103, Lots 37, 38, 153, 154, 159, 311, 338, 337, 340, 341, 342, 343

Grant Terms and Eligible Activities:

1. Projects may be used for the following purposes: “To demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned and surplus properties. Additionally, funds can be used for site development needs related to such projects, including but not limited to, water, sewer, and parking, but not exclusively for site development.” Definitions for these activities are provided here:
 - **DEMOLITION** shall mean to completely tear down or raze a building.
 - **DECONSTRUCTION** shall mean the careful disassembly of a building of architectural or historic significance with the intent to rehabilitate or reconstruct the building, or salvage the disassembled material from the building for reuse.
 - **REHABILITATION** shall mean structural repairs, mechanical systems repair or replacement, repairs related to deferred maintenance, emergency repairs, energy efficiency upgrades, accessibility improvements, mitigation of lead-based hazards, and other repairs that result in a significant improvement to the property, provided however, that to the extent possible, such rehabilitation shall be architecturally consistent with nearby and adjacent properties, or done in a manner consistent with a local revitalization or urban development plan.
 - **RECONSTRUCTION** shall mean the construction of a new building, which is similar in architectural style, size and purpose to a previously existing building at such location, provided however, that to the extent possible that such reconstruction is architecturally consistent with nearby and adjacent properties, or in a manner consistent with a local revitalization or urban development plan.
2. A municipality that is granted an award shall provide a matching contribution of no less than **ten percent** of the aggregated Restore NY award or awards amount. Such matching contribution may be cash or the value of in-kind services, contributions or administrative costs dedicated to this project,

including funds from federal, state (other than Restore NY funds) and local government sources and funds from private contributions.

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

Funding caps based on property type for each property funded:

Residential projects funding is determined by the activity occurring (i.e. demolition and reconstruction), and may not exceed caps per property unless there is a need for lead and/or asbestos removal. In that case the maximum allowance may be increased to include the per square footage allowance outlined for hazardous materials in Table 4 below.

Table 1. Funding and Project Limits

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

Commercial projects funding is determined by square foot caps and may not exceed the calculated amount unless there is a need for lead and/or asbestos removal. In that case the maximum allowance may be increased to include the per square footage allowance outlined for hazardous materials in the table below:

Table 2. Maximum Commercial Building DEMOLITION Allowance Per Square Foot

ESD Region	Class A Structural Steel	Class B Reinforced Concrete	Class C Masonry Walls	Class D Wood or Steel	Class S Metal bents or Columns
Long Island	\$10.40	\$12.34	\$7.90	\$6.92	\$6.65

Table 3. Maximum Commercial Building CONSTRUCTION Allowance Per Square Foot

	Office				Light Manufacturing				Retail*	
	Class A	Class B	Class C	Class D	Class A	Class B	Class C	Class D	Class C	Class D
ESD Region	Structural Steel	Reinforced Concrete	Masonry or Concrete	Wood /Steel Studs	Structural Steel	Reinforced Concrete	Masonry Walls	Wood /Steel Studs	Masonry or Concrete	Wood/Steel Studs
Long Island	\$242.55	\$229.84	\$169.09	\$155.96	\$121.09	\$112.59	\$77.32	\$68.78	\$124.33	\$114.35

*Retail includes retail mixed with office or residential.

Table 4. Maximum Allowance Where Certain HAZARDOUS MATERIALS are Present in the Demolition or Reconstruction Per Square Foot

ESD Region	Asbestos Abatement	Lead Removal
Long Island	\$64.27	\$24.10

ESD Terms and Conditions:

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

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

Expenditures incurred prior to December 15, 2017 are not eligible for reimbursement by Restore NY grant funds.

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

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

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

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

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