

GIGP 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
- Designate a representative authorized to sign documents
- Authorize commitment to funding and identify and authorize source of local funding match requirements/co-funding
- Declare SEQR findings or determinations

The language provisions below are provided solely as examples that may be inserted into resolutions that are required in order to receive GIGP funding. The language should be conformed to meet the applicant's preferred format, style, and particulars of the GIGP project, and must meet the legal requirements relative to each recipient. 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, sample 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, and resolutions must be acted on by the recipient's governing body and appropriately certified. Non-municipal applicants are strongly encouraged to consult with their legal counsel in preparing relevant resolutions. If you have questions, please contact the New York State Environmental Facilities Corporation at 518-402-7461.

Resolution: Authorization for Submission of GIGP 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 Green Innovation Grant Program on behalf of the (*name of municipal/non-municipal entity*).

Resolution: Designation of Authorized Representative

NOW, THEREFORE, BE IT:

RESOLVED that the *(designated representative by title)* is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the *(name of municipal/non-municipal entity's)* obligations under the GIGP Grant Agreement.

Resolution: Authorization of Local Match for Construction Grants (10% local match)

NOW, THEREFORE, BE IT:

RESOLVED that the *(name of municipal/non-municipal entity)* authorizes and appropriates a minimum of 10% local match as required by the Green Innovation Grant Program (GIGP) 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 source of the local match, and any amount in excess of the match, shall be *(provide the full plan of finance for the amount being provided by the recipient – for example, BANs, bonds, general fund, co-funding sources)*. The maximum local share shall not exceed *\$(Dollar amount – must be no less than 10% of the total project cost)* 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 *(name of municipal/non-municipal entity)*.

Resolution: SEQR Determination (Type II)

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 *(name of 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 the specific subparagraph or subparagraphs that apply to your project i.e., options (1) through (37))* which constitute(s) the *(provide quotation of the text of the cited subparagraph(s) above which apply)* and is therefore not subject to further review under 6 NYCRR Part 617.

Resolution: SEQR (Type I or Unlisted Action) Determination of Negative Declaration and Resolution of Lead Agency

NOW, THEREFORE, BE IT:

RESOLVED that the (*insert name of lead agency*), is Lead Agency, and 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*) as follows:

(set forth basis for negative declaration determination).

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.