Engineering Planning Grant (EPG) Program
Sample Resolution Language

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

- Authorize a representative to execute the Grant Agreement
- Document and authorize project costs and local match funding requirements
- Declare SEQR findings or determinations (municipal applicants)

Sample resolution language is provided below. This or similar language should be included in the resolutions of your authorizing body. The language should be conformed to your particular project and grant program.

Please be advised that recent amendments to the SEQR regulations have been adopted and became effective on January 1, 2019.

Applicants will need to develop adequate “whereas” or “resolved” statements for the governing body’s consideration that provide identifying information for the project and other necessary background to support the particular determinations to be made.

THIS SAMPLE LANGUAGE IS ONLY FOR THE PURPOSE OF ASSISTING YOU IN DRAFTING YOUR RESOLUTIONS AND IS NOT INTENDED TO BE LEGAL ADVICE.

The sample resolutions were prepared with municipal applicants in mind. Local counsel should be consulted prior to adopting any resolutions. The resolutions must be acted on by the municipal applicant’s governing body and appropriately certified. Non-municipal entities are strongly encouraged to consult their legal counsel when preparing relevant resolutions.

If you have questions, please contact the New York State Environmental Facilities Corporation at 518-402-7461.

Authorization for Representative to Execute 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 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 Grant Agreement.

Authorization and Appropriation of Local Match

Local match is a minimum of 20% of the EPG grant award.

NOW, THEREFORE, BE IT:
RESOLVED that the (name of municipal/non-municipal entity) authorizes and appropriates a minimum (10%/20%) local match as required by the (Green Innovation Grant Program/Engineering Planning Grant Program) for the (insert project’s name/description here). Under the (GIGP/EPG) program, this local match must be at least (10% of the GIGP eligible project costs of $_____/20% of the EPG grant award of $______). The source of the local match, and any amount in excess of the required 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 match shall not exceed $(dollar amount) 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).

SEQR Determination (Type II)

WHEREAS, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 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 municipality) hereby determines that the proposed (name/description of the 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 (46)) 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.