

# OYSTER BAY

## Main Street Association

### Oyster Bay Building Renovation Grant Program

Funded by the:  
New York Main Street Grant Program 2009  
Department of Housing and Community Renewal

The Oyster Bay Main Street Association is pleased to announce that up to \$200,000 is available through its Building Renovation Grant Program, for building and business owners in a 3-block target area in downtown Oyster Bay.

#### Target Area

The target area includes the main intersection of Audrey Avenue, East Main Street, and South Street. These blocks are bounded by Spring Street and Audrey Avenue to the west, Hamilton Avenue to the north, White Street to the East and East & West Main Streets to the south.

#### Program Outcomes

The program will result in the renovation of 10 commercial units and 10 residential units, and the improvement of five facades.

#### Eligible Projects

Oyster Bay Main Street is accepting applications for projects in the following categories:

- *Building Renovation Grant*, a matching grant of up to \$40,000 per building, with an additional \$20,000 per assisted residential unit available, requiring a 25% match. No single property assisted with Building Renovation grant funds may exceed \$100,000 in total NYMS funds. Please note the NY Main Street Program Guidelines require that “if the building façade does not meet SHPO design standards, a façade renovation will be required in order to qualify for a building renovation grant.”

#### Public Information Session

A public information session will be held at 8:30 a.m. on Thursday, September 24, 2009 at Oyster Bay Main Street Association’s office in Christ Church Parish Hall, 55 East Main Street. This meeting is mandatory for all applicants.

#### Deadline for Submission of Initial Application

The deadline for receipt of an Initial Application form is **4pm on Thursday, October 8, 2009**. Initial Applications and required support materials should be submitted to: Program Administrator, Oyster Bay Main Street Association, 55 East Main Street, Oyster Bay, NY 11771.

## **Project Selection**

Oyster Bay Main Street will select projects in the target area that have historic value, are visually prominent on Main Street, or that will, with the assistance of grant funds, realize a stabilization or expansion of a Main Street business. Priority will be afforded to:

1. Properties where immediate action will help alleviate or prevent dangers to the health and safety of the community,
2. Historic properties in danger of being lost, in part or in total, to disrepair or damage
3. Properties where façade improvement would reduce blight or contribute to the economic recovery of the target area, or
4. Properties that include a residential component.

## **Project Completion Deadline**

All projects must be completed no later than August 1, 2010. The term “project completion” means that construction is complete, the project has received all appropriate approvals from the Town of Oyster Bay, and Oyster Bay Main Street has officially inspected the project site and determined all work is complete to its satisfaction. The NYMS Program reserves the right of final inspection. *Failure to complete the project on time will deem the project owner ineligible for reimbursement of costs incurred.*

## **Reimbursement**

The property owner will be responsible for paying for all agreed upon repairs, but OBMSA will reimburse the property owner seventy-five percent (75%) of eligible costs for Building Renovation; reimbursements will not exceed \$40,000 for Building Renovation. Payment will only be made upon satisfactory completion of all work. Satisfactory completion will be determined by OBMSA.

Note that the quotes from contractors will be received by OBMSA. OBMSA will advise the property owner of acceptability of bids/proposed cost. If the property owner chooses other than the lowest bidder, reimbursement will be based on the amount of the lowest bid.

The match must be in the form of cash. In-kind contributions such as labor, materials and equipment are not eligible matches. Administrative costs such as personnel and related expenses for administration of the project are not eligible to be used as a match.

All requests for reimbursement must be supported by written bids, written contracts, billings, bank documents and any other documentation that HFTC may request in order to establish that NYMS funds have been used in accordance with the terms of the agreement between OBMSA and HTFC.

## **Construction Financing**

NYMS is a reimbursement program. Local property owners will be responsible for obtaining construction or interim financing for their project. OBMSA may assist owners in obtaining financing where requested, but property owners are free to make their own arrangements.

## **Application and Approval Process**

The application review and approval process involves the following steps.

1. Initial Application. Initial applications are received and considered in the order received. The Design Committee reviews Initial Applications and scores them according to the evaluation criteria listed above and determines eligibility for funding. Applicants will be notified within 30 days of the submission of an initial application regarding a decision.
2. Project Development.
  - a. Scope of Work: If OBMSA determines an initial application to be eligible for assistance, OBMSA will meet with the property owner to develop a scope of work and an initial estimate of costs. This meeting may occur at the building site or after a visit to the site. The priorities for the scope of work will include: (1) immediate health and safety concerns (2) the correction of code violations, (3) addressing any lead-based paint

hazards that may exist in buildings that contain residential units, (4) installation of energy conservation measures, (5) consistency with Oyster Bay Main Street Association Design Guidelines, and (6) preservation of historical elements of the building. OBMSA will explain requirements related to lead-based paint hazards, energy efficiency, historic design standards, or any other work scope issues with the property owner. OBMSA will be responsible for coordinating work write-ups with local code officials, the State Historic Preservation Office, and other regulations. If needed, additional experts may be consulted. OBMSA will not pay for detailed design completed by a design professional (architect or engineer) engaged by the property owner, however, it is an eligible reimbursement cost. OBMSA and the property owner will sign-off on a scope of work before the owner is authorized to seek bids for the work.

- b. Bids and Contractor Selection: The property owner will be encouraged to select at least two contractors to supply price quotes. Contractors must be able to provide required insurance and perform work in compliance with applicable standards. OBMSA will establish a list of contractors that meets these requirements; OBMSA will make that list available to owners. If the property owner would like to use a contractor not on the list, references and proof of proper insurance must be supplied to OBMSA. OBMSA will ensure that Women- and Minority- owned Business Enterprises are represented on contractor lists. Quotes will be received by OBMSA. OBMSA will advise the property owner of acceptability of bids/proposed cost. If the property owner chooses other than the lowest bidder, reimbursement will be based on the amount of the lowest bid.
- c. Contracting Procedures: OBMSA will enter into a contract with the property owner to provide the agreed financial assistance, subject to the property owner entering into a contract based on the agreed scope of work and the work beginning within 30 days of OBMSA approval. The Contract between OBMSA and the property owner will specify that payments will be made after all work is complete. In addition, it will provide that OBMSA has the right to inspect work at anytime and cancel the contract should the work being done be inconsistent with the standards mentioned in the preceding sections, or if problems with the workmanship arise, or if insurance is not maintained by the contractor.

## **Construction Management and Quality Control**

### Design Standards:

All work will be completed in accordance with design standards that are developed to meet the following priorities. The priorities for the scope of work will include: (1) immediate health and safety concerns (2) the correction of code violations, (3) addressing any lead-based paint hazards that may exist in buildings that contain residential units, (4) installation of energy conservation measure, (5) consistency with Oyster Bay Main Street Association Design Guidelines, and (6) preservation of historical elements of the building.

These standards will be consistent with the requirements of the State Historic Preservation Office (SHPO), the Housing Trust Fund Corporation (HTFC), and OBMSA. OBMSA will enforce the standards throughout the development process.

All projects must be reviewed by SHPO (New York State Office of Parks, Recreation, and Historic Preservation). SHPO will review and determine whether the property has any historic, architectural or archeological value; or proposed activities on the site will have an adverse effect on an historic property. It is understood that SHPO will make recommendations on issues of design and construction that best protect and enhance the historic quality of a building and the downtown area. Following SHPO's determination, OBMSA will work with the property owner to revise the scope of work to meet SHPO's stipulations if necessary. Property owners must agree to comply with any recommendations made by SHPO. OBMSA will assist will redesign to meet the requirements of SHPO.

Also, the Oyster Bay Main Street Association has adopted Design Guidelines for building rehabilitation. These may be viewed online at: <http://oysterbaymainstreet.org/programs03.htm>. The Design Guidelines will help ensure that façade improvements are done in a manner that respects the architecture of the buildings being renovated and that renovations comply with the Office of Parks, Recreation, and Historic Preservation standards. All final project designs must be in compliance with the design guidelines.

#### Inspections:

OBMSA retains the right to inspect work in progress at any point. Before a final payment can be made, a final inspection will be required. OBMSA, the local code enforcement officer, and the property owner will all verify that the work was completed properly and is consistent with the contracted scope of work.

#### **Residential Rental Units**

Rental units improved using NYMS funding, must be “marketed to and affordable to low income families.” Residential units improved under the Program that become vacant during the Regulatory Period of seven years must be marketed, and made affordable to persons of low income as defined under the Statutes.

#### **Photographs**

OBMSA will obtain written consent from the property owner in order to permit OBMSA or HTFC to publish photographs of Assisted Property for promotional or public relation purposes.

#### **Bonding**

The Treasurer of the Oyster Bay Main Street Association will be the contract officer and responsible for all financial transactions. The Treasurer will be covered by a fidelity bond greater than the amount of the largest payment likely to be made under the program.

#### **Ongoing Maintenance**

Property owners will be required to maintain property assisted with NYMS funds for a period of seven years after final payment is made. This requires that any assisted residential units, when they become available, be marketed and affordable to low income households for the enforcement period, and that the commercial or civic units be maintained in a manner that is consistent with the goals of the NYMS program for the enforcement period. OBMSA will require each property owner receiving NYMS funds to file a “Declaration,” in a form approved by HTFC, with the clerk of the county in which the project is located. In the “Declaration” the property owner will declare that he/she has received assistance from NYMS and will maintain the property in a manner consistent with the program objectives for a minimum of seven years. In the event of non-compliance on resale, the amount of grant funds will be subject to repayment in accordance with a simple annual declining balance, based on the seven- year enforcement period.

#### **Responsible Parties**

OBMSA will monitor projects assisted under NYMS during the seven-year enforcement period. OBMSA will ensure maintenance of Main Street investments. OBMSA will periodically inspect assisted property and will conduct any inspections directed by HTFC.

#### **Prohibition of Private Inurement**

According to OBMSA By-Laws, directors cannot receive profit or assets of any kind from OBMSA. Because the NYMS grants to be awarded are funded through the State of New York, OBMSA will act as the custodian of the funds as they are dispersed. OBMSA shall hold the funds in a separate account in trust and they will not be recognized as an asset to OBMSA. In accordance with the By-laws of the Oyster Bay Main Street Association, no OBMSA Board Member who applies to the Building Renovation Grant Program may attend any portion of any meeting at which grant information of any kind is discussed or distributed.

# Oyster Bay Building Renovation Grant Program

## Application and Attachment Checklist

- Complete and Sign the Initial Application Form
- Attach a Narrative Description of the Proposed Scope of Work and interior photographs of the existing conditions to be addressed. Include a description of any SHPO environmental reviews completed or underway on the proposed project. Sketches or architectural rendering(s) are not required, but useful if available.
- Provide an Outline of Estimated Project Cost
- Attach a Description of How the Project Meets the Program's Priorities as listed on page 2 of the Program Guidelines for projects and scope of work.
- If the building is being purchased and the improvements will be made by the new owner, then evidence of the date of property acquisition must be submitted; for example, a copy of the signed purchase agreement. If your project is selected for further consideration, then you must present a signed purchase agreement within 30 days of notification, and the property acquisition MUST be complete prior to signing contracts and proceeding with work.
- If the tenant business intends to undertake the improvement project (as opposed to the property owner), then a letter of understanding between the tenant and property owner must be submitted.

Submit to: Program Administrator, Oyster Bay Main Street Association NYMS Program, 55 East Main Street, Oyster Bay, NY 11771 no later than 4 PM on Thursday, October 8, 2009.

# Oyster Bay Building Renovation Grant Program

## 2009 Application Form

Project Title: \_\_\_\_\_

Address of Project Site: \_\_\_\_\_

Names of all Property Owners: \_\_\_\_\_

Names of Official Applicant for Grant (individual or legal entity):  
\_\_\_\_\_

Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address \_\_\_\_\_

Total Project Cost: \$ \_\_\_\_\_ Total Project Cost: \$ \_\_\_\_\_

I certify that I am authorized to submit this application to the Oyster Bay Building Renovation Grant Program on behalf of the business listed above. I further certify that the property proposed for improvements is not, nor has been, in default, assigned to the State, or foreclosed, nor has mortgage relief by the mortgagee been given. I have not experienced default or non-compliances under any Town of Oyster Bay, HUD, USDA, DHCR, HTFC, or other State and local governments financing. I have not been convicted of a felony and am not presently, to my knowledge, the subject of a convicted complaint or indictment charging a felony. I have not been suspended, debarred or otherwise restricted by any department, agency or authority of the Federal government or any state or local government from doing business with such department, agency or authority; and, I have not defaulted on an obligation covered by a surety or performance bond and have not been the subject of a claim under an employee fidelity bond.

\_\_\_\_\_  
Signature of Authorized Business/Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title