

Brownfield Opportunity Area Applicant Governing Board Resolution Guidance

Applicants must submit a formal resolution adopted by the applicant's governing authority that authorizes submission of the application and identifies the title of the applicant's authorized representative. Applications submitted by a regional planning council, are required to attach the resolution which is required under General Municipal Law, Article 12-B, Section 239-h, creating the council and which demonstrates membership of each eligible county, city, town, and village participating in the project. The Applicant must submit, with the application, a formal resolution from each governing body confirming support for the grant application, and a commitment to move forward in a timely manner, if funded. The resolution must include the following items:

1. Authorization to apply for the grant: The governing body of the municipality, community-based organization or community board must identify, by title, the applicant's authorized representative, and authorize that person to submit an application to the Brownfield Opportunity Areas (BOA) Program. The resolution should also authorize their representative to execute all financial and administrative processes relating to the completion of the BOA document.
2. Brownfield Opportunity Area name: The resolution should identify the study area, by name, and provide a brief description of the project.
3. Funding request: The resolution must indicate the amount of money being requested through the Brownfield Opportunity Areas Program. The amount requested may not exceed 90% of the total project cost.
4. Local share information: The resolution must state the applicant's commitment of 10% local share of the total project cost.
5. Pre-Planning Activities: If the application is for Pre-Planning: Area-wide Brownfield Identification and Preliminary Analysis BOA, the resolution must state the applicant's commitment to complete an area-wide or multi-jurisdictional inventory of known or suspected brownfields with subsequent analysis that culminates in a description and justification of an area or areas for future BOA Planning, and acknowledges that BOA Pre-Planning does not culminate in a BOA Designation.
6. Project completion and designation: If the application is for completion of a BOA Plan (formerly known as a BOA Nomination) or BOA Plan update, the resolution must state the applicant's commitment to complete a BOA Plan (Nomination) in a timely manner and the applicant's commitment to seek official Designation of the Brownfield Opportunity Area by the Secretary of State upon completion of the BOA Plan or BOA Plan update.
7. Pre-development Activities: If the application is for Pre-development Activities, the resolution must identify the name of the BOA Designated by the Secretary of State, and identify the project within the BOA that is to be advanced by the requested Pre-development Activities.

8. Phase II Environmental Site Assessments: If the application is for Phase II Environmental Site Assessment, the resolution must identify the name of the BOA Designated by the Secretary of State, and the site that is being applied for Phase II Environmental Site Assessment must be defined around one or more areas of environmental concern and may include more than one contiguous tax parcel. The site must have definitive and identifiable boundaries.

9. Certification of Recording Officer: The resolution must include a certification that the attached resolution is a true and correct copy of the resolution, and must record the vote of the members of the governing body.